

schneider, marchant

From: Hobbie, Jason
Sent: Wednesday, October 06, 2010 5:36 PM
To: Sara Howard-O'Brien
Cc: Yudd, Charles; schneider, marchant; Brown, Ron; phillips, george
Subject: RE: Abandonment Goshen Road letter

Sara,

As previously discussed, because certain portions of the Goshen Road right-of-way may have been dedicated to the County (by plat), it may be possible to vacate these sections (as opposed to abandoning them). The benefit would be that through a vacation, title to the dedicated portions of right-of-way would automatically revert to the land owner (School Board), whereas through an abandonment title would revert to the Board of Supervisors. If title to the dedicated portions of right-of-way reverted to the Board of Supervisors, I believe that a public hearing would be necessary before the Board of Supervisors could convey title to the School Board. I do not think that this issue would apply to those portions of Goshen Road that are purely prescriptive easement.

Please contact me if you would like to discuss. Thanks.

Jason

From: Sara Howard-O'Brien [<mailto:Sara.HowardOBrien@lcps.org>]
Sent: Tuesday, September 21, 2010 3:34 PM
To: phillips, george
Cc: Yudd, Charles; Hobbie, Jason; schneider, marchant; Brown, Ron
Subject: Abandonment Goshen Road letter

George, attached is the letter requesting that our abandonment request fall under 33.1-155 and be held until the road can be constructed and accepted. Hard copy coming in loop.

thank you for your continued guidance and assistance. Sara

Sara Howard-O'Brien
Land Management Supervisor
Loudoun County Public Schools
Planning and Legislative Services
21000 Education Court
Ashburn, Virginia 20148
Phone: 571-252-1156
Fax: 571-252-1101
E-mail: **Note New as of 8/10** Sara.howardobrien@lcps.org



LOUDOUN COUNTY PUBLIC SCHOOLS
PLANNING AND LEGISLATIVE SERVICES

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RECEIVED

SEP 24 2010

LOUDOUN COUNTY
DEPARTMENT OF PLANNING

September 21, 2010

Mr. George Phillips
Loudoun County Office of Transportation
1 Harrison Street, S.E., 4th Floor
Leesburg, VA 20177

Re: Abandonment of Portion of Route 616, Goshen Road

Dear George:

I am writing to confirm that after review of the abandonment process with the County and VDOT staff, LCPS would like to pursue the abandonment of a portion of Goshen Road, from Road A south to Braddock Road pursuant to Section 33.1-155 of the Virginia State Code. We understand that this section allows the consideration of abandonment of a road (or portion thereof) when a new road has been built that serves the same citizens as were served by the old road. We also understand that the replacement road needs to be constructed and accepted into the State secondary road system for maintenance before the official abandonment may take place. We anticipate that official abandonment could move forward by the Fall of 2012. We ask that our application be held until the replacement road is constructed and accepted.

As you know, LCPS had originally filed the abandonment request under Section 33.1-155 in March of 2010. In August, we amended our request to pursue the abandonment pursuant to Section 33.1-151. Upon receipt of referrals and, in particular, the recommendation from the Richmond Office of VDOT, it was determined that the abandonment should be processed under 33.1-155. Therefore, we would like to go back to the original filing for pursuit of the abandonment.

It should be noted that with the construction of Road A and the two lanes of Relocated Route 659 from Tall Cedars Parkway to Braddock Road, the majority of the properties south of Road A with frontage on Goshen Road will no longer need Goshen Road for "existing lot" access. Further, should the existing two lots within Westport either be consolidated or resubdivided such that they no longer have access on Goshen Road, it will be possible to abandon Goshen Road from Road A south to Braddock Road. At a minimum, it will be possible to abandon Goshen Road from Road A through the school frontage and the proffered C.D. Smith park frontage. We will revisit the status of

LCPS/Goshen Road Assemblage
ZMAP 2010-0001/SPEX 2010-0003
September 21, 2010

the Westport properties when the replacement road has been constructed. We continue to work with the surrounding property owners and to keep all property owners along Goshen Road informed of the current status. As you know, ZMAP 2010-0001 and SPEX 2010-0003, HS-7/ES, were recommended for approval by the Planning Commission on September 15, 2010. The Board of Supervisors will consider these applications on October 12, 2010. LCPS anticipates that the site plan and other required applications could be approved by year's end allowing construction to begin as early as January 2011.

If you have any questions or need additional information, please do not hesitate to contact me. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sara", with a large, stylized initial "S" that loops around the first few letters.

Sara Howard-O'Brien, AICP
Land Management Supervisor

cc: Charles Yudd, County Administration
Marchant Schneider, Planning Department
Sam Adamo, Executive Director LCPS Planning
Kevin Lewis, Director LCPS Construction

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Tuesday, September 21, 2010 12:56 PM
To: phillips, george; schneider, marchant
Subject: HS-7 Road Abandonment: Update Letter to Goshen Road Property Owners
Attachments: ltrgoshenrdresidentssept202010.doc; abandonmentContext map_3-04-2010.pdf; Sara Howard-O'Brien.vcf

I am attaching for your information the update letter that I am sending to the Goshen Road Property Owners in today's mail. Let me know if you have any questions.

George I will be sending a letter to you for the file shortly asking that we process the abandonment under Section 33.1-155 and that the application wait until the roads can be constructed and accepted before we go to the BoS.

thank you for your continued assistance. Sara

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September 20, 2010

RE: Proposed Abandonment of a Portion of Goshen Road: Change in Process/No Public Hearing for Abandonment in October

Dear Goshen Road Property Owner:

I previously sent a letter to you, dated August 31, 2010, regarding Loudoun County Public School's request to abandon a portion of Goshen Road and extended an offer to meet with you and answer any questions you may have. We had proposed to abandon the portion of Goshen Road between future Roads A and B this fall, if approved by the Board of Supervisors. However, we have changed the process for abandonment and will now wait to abandon the road (between Roads A and B and potentially south to Braddock Road) until after the new road network has been constructed, opened to the public and in the Virginia State System for maintenance, anticipated Fall of 2012.

There will not be a public hearing for the abandonment on October 12th as stated in the August 31, 2010 letter. There will still be a public hearing for the proposed school use (SPEX 2010-0003 and ZMAP 2010-0001) at the Board of Supervisors on October 12th with the meeting agenda starting at 6:30 p.m.

Presently, LCPS staff is working with the County and the Virginia Department of Transportation (VDOT) to determine how road improvements will be phased and whether it will be necessary to close a portion of Goshen Road (between Roads A and B) during construction for safety purposes. The construction phasing and timing for closure of Goshen Road, if necessary, will be determined in the coming weeks. We expect to begin construction in January of 2011. We will keep you informed as we move forward. If you have any questions, do not hesitate to contact me.

Sincerely,

Sara Howard-O'Brien, AICP
Land Management Supervisor

cc: George Phillips, Office of Transportation Services
Marchant Schneider

To: Goshen Road Property Owners
Re: Request for Abandonment of a Portion of Goshen Road
Date: September 20, 2010

Background Information: Loudoun County Public Schools has filed a zoning map amendment (ZMAP 2010-0001) and special exception (SPEX 2010-0003) for 97 acres of land located on Goshen Road, approximately one mile south of Route 50 and one half mile north of Braddock Road. The proposed use is for a new Dulles South High School (HS-7) and future elementary school. HS-7 is planned to open in the Fall of 2012. In conjunction with these applications, we have also filed a request with the Board of Supervisors of Loudoun County to abandon a portion of Goshen Road as it crosses the proposed school site, between future Roads A and B, and potentially south to Braddock Road. The request is to abandon this portion of Goshen Road after the new road network, Road A and Relocated Route 659 between Tall Cedars Parkway and Braddock Road is constructed, opened to the public and accepted in the state system for maintenance. This new road will essentially serve the same purpose as Goshen Road but will provide a significantly improved two lane road with turn lanes.

Enclosed for your information is a map depicting the proposed school site, the surrounding road network and the proposed abandonment on Goshen Road. The ZMAP and SPEX applications for the high school and future elementary school were considered by the Planning Commission on September 15th and recommended for approval. These applications will also be at the Board of Supervisors public hearing on October 12, 2010, in the Board's meeting room in the County Administration Building, 1 Harrison Street, in Leesburg, beginning at 6:30 p.m.

George Phillips of the County Office of Transportation [(703) 737-8624] is the County's project manager for the proposed abandonment request. Marchant Schneider of the County Planning Office [(703)-777-0246] is the project manager for the zoning and special exception applications.

Please let me know if you would like to meet, have questions or would like additional information. I would be happy to review the applications with you at your convenience. Thank you for your time and attention. My direct number is 571-252-1156 and my email is sara.howardobrien@lcps.org.

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Friday, September 17, 2010 4:46 PM
To: schneider, marchant
Cc: Yudd, Charles; Hobbie, Jason; Brown, Ron
Subject: Fwd: LCPS: HS-7/ES, Goshen Road Assemblage, 9/14/10 Meeting Summary
Attachments: abandonmentmtgsept142010.doc; abandonmentContext map_8-23-2010final.pdf; Sara Howard-O'Brien.vcf; Sara Howard-O'Brien.vcf

Marchant, I am forwarding the email and summary minutes of the 9/14/10 meeting with OTS and VDOT on Goshen Road Abandonment, FYI. I am also copying Charles, Ron and Jason as they have been involved as well. Just trying to keep all in the loop. S

Sara Howard-O'Brien
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>>> Sara Howard-O'Brien 9/17/2010 4:20 PM >>>

Please find attached a summary of our meeting on September 14, 2010, regarding the proposed abandonment of a portion of Goshen road and the potential closing of a portion of Goshen Road during construction. I am also attaching an map of the area for easy reference (note the map shows the abandonment as between Roads A and B. Long term the requested abandonment will be from Road A to Braddock Road). I ask that you let me know if I have misunderstood the process or mis-stated any of your guidance. Thank you again for your assistance. Have a good weekend. Sara

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Meeting Minutes Memorandum

To: Meeting Participants & ZMAP 2010-0001 and SPEX 2010-0003, HS-7/ ES File
From: Sara Howard-O'Brien, LCPS
Date: September 14, 2010
Re: **Abandonment of Portion of Goshen Road, Loudoun County**

Participants:

Farid Bigdeli, VDOT
John Bassett, VDOT
Imad Salous, VDOT
Tom Walker, VDOT
George Phillips, Loudoun OTS
Chris Tacinelli, Gorove Slade
Tushar Awar, Gorove Slade
Ken Theurich, LCPS Construction
Sara Howard-O'Brien, LCPS Planning

The purpose of the meeting was to review the proposed abandonment of a portion of Goshen Road (from Road A to Braddock Road), to discuss the appropriate abandonment process, and to review how and when the portion of Goshen Road crossing the school site (between Roads A and B) could be closed during construction, if necessary.

LCPS has filed a special exception and zoning map amendment for a proposed Dulles South high school and elementary school on 97 acres of land that is situated approximately one mile south of Route 50 and ½ mile north of Braddock Road. Goshen Road, a narrow gravel road, bisects the property. As a part of the high school special exception, approval conditions will require the following roads to be in place (constructed and open to the public) prior to opening of the high school in the Fall of 2012:

- Road A, a road between Goshen Road and Relocated Route 659. Road A is north of the high school site
- Two lanes of Relocated Route 659 between Tall Cedars Parkway and Braddock Road, and
- Road B, a road between the school site and Relocated Route 659. Road B is south of the high school site and a road that serves the schools and future park.

To: HS-7/ES, Goshen Road Assemblage File
Re: Meeting with VDOT/OTS to review Goshen Road Abandonment
Date: September 14, 2010

Note: there are additional requirements but the improvements above are specifically related to the abandonment of a portion of Goshen Road.

It had been requested to abandon a portion of Goshen Road (between Roads A and B) under Section 33.1-151. The VDOT Richmond office on 9/1/10 advised an abandonment under 33.1-151 could not be supported. VDOT advised that it would be possible to close the road during construction and once the new road network was constructed (Road A/Relocated Route 659) and accepted into the state system, then the abandonment could proceed under Section 33.1-155.

LCPS will amend the abandonment application to proceed under Section 33.1-155 and will work with VDOT on the closure of a portion of Goshen Road during construction, if necessary. The process for closing a road while construction is underway is as follows:

The proposed road closure is requested as a part of the management of traffic (MOT) plan. The MOT is done in conjunction with the Construction Plans and Profiles (CPAP) for the new road, in this case, Relocated Route 659/Road A. John Bassett is the VDOT project manager for all of the CPAPs filed for the planned road network.

The MOT could be filed in conjunction with the pending CPAP or after approval of the CPAP. LCPS will file the MOT as soon as possible in order to get the MOT approved up front. The MOT is submitted to the VDOT Residency office and then forwarded to the Fairfax Office for review. The Project Manager (John Bassett) as well as the VDOT Traffic Engineering Division will review the MOT. The VDOT Residency Office (Imad Salous) is ultimately responsible for approving alternate travel routes and for issuing the permits for road construction and road closure.

- As a part of a road closing, the following needs to be taken into account/provided:
- The key is making certain the road network environment is safe for the public
- The road closing needs to make sense in terms of construction sequencing
- Notification is provided to the County to gain the County's concurrence (make sure fire and rescue, Sheriff's Office, and schools are aware)
- Alternate routes need to be identified for the traveling public
- Sign the road for closure and sign the alternate route
- If the alternate route is a County road, not a State road (private or not yet accepted into the system, then approval from the County is needed for the alternate route)
- Provide temporary turnarounds at the ends of the closed road.
- Notify properties along road
- Provide a bond for the portion of the road that is closed. The bond will be held until the road is abandoned or reopened.

VDOT will except two lanes of an ultimate six lane road. The requirements (identified in our meeting on 8/10/10) are:

To: HS-7/ES, Goshen Road Assemblage File
Re: Meeting with VDOT/OTS to review Goshen Road Abandonment
Date: September 14, 2010

- The road must be identified on the County's Plan (Countywide Transportation Plan)
- The ultimate right-of-way must be dedicated
- The projected traffic volume for the 10 years after acceptance should be less or equal to 8000 VPD
- The road must meet VDOT construction requirements
- There is not a requirement that the County guarantee the second two lanes

Generally, the process is: 1) Acceptance of the new road, 2) Abandonment 3) Release of the Bond.

At the meeting it was requested that LCPS include a timeline for the key project milestones:

9/15/10: Planning Commission Public Hearing on SPEX & ZMAP for Schools
The Commission recommended approval and forwarded to the Board of Supervisors.

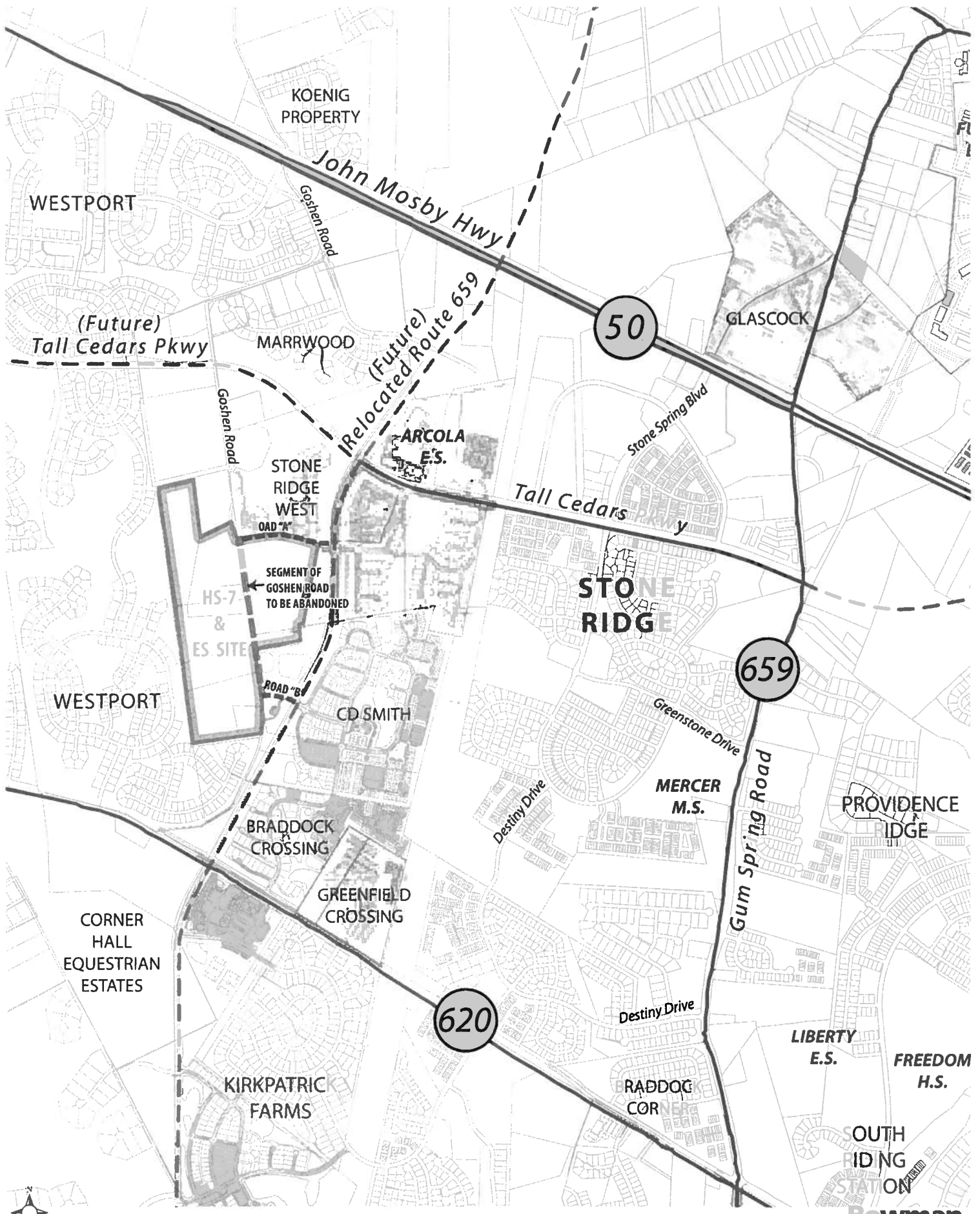
10/12/10: Board of Supervisors Public Hearing on SPEX & ZMAP for Schools

10/15/10: Closing on 23 acre property to Complete Assemblage

10/15-12/31/10:
Record Boundary Line Adjustment Plat to create one parcel, Site Plan Approval, Recordation of Deeds of Dedication for Right-of-Way, Construction Plan and Profile Approval for Road Construction and put project out for bid

1/2011: Start Construction

LCPS intends to file the MOT as quickly as possible for review. The MOT will incorporate closure of Goshen Road and outline the phasing of construction in relation to same, if it is determined that a portion of Goshen Road needs to be closed. The alternate route would be existing Route 659 to the east. The request for abandonment will be placed "on hold" until Road A and Relocated Route 659 can be constructed and petitioned for acceptance into the state system. The request will follow 33.1-155. The intent is to abandon, at a minimum, the segment of Goshen Road between Road A and the southern boundary of C.D. Smith/the future proffered park site and if Westport has consolidated or subdivided their property such that no individual parcels have their access from Goshen Road, then the abandonment would be requested all the way south to Braddock Road.



8-23-2010

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Thursday, September 16, 2010 11:53 AM
To: phillips, george; schneider, marchant
Subject: Fwd: Re: Closing of Goshen Road for HS-7
Attachments: Sara Howard-O'Brien.vcf

Just to keep you in the loop, below is an email from today with Mr. Isaachsen. We will continue to coordinate with him and the other property owners on Goshen. I will be sending out a second letter letting folks know that we will NOT be having a public hearing on 10/12. Sara

Sara Howard-O'Brien
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>>> Sara Howard-O'Brien 9/16/2010 9:01 AM >>>

Rt. 659 Relocated will be constructed as a two lane road from Tall Cedars South to Braddock Road. What I do not know at this time is when this new road, along with Road A, will be built in relation to the potential closure of Goshen Road. In other words there is a possibility that there would be a short time that Goshen Road south of Road A would need to be closed BEFORE the new roads are completed. The reason it would need to be closed is for safety in relation to the site construction. Worst case scenario, Goshen could be closed 19 months (from start of construction in January 2011 until the school opens in Sept of 2012) but I believe it will actually be a much shorter timeframe, if it has to be closed at all. We are working on the construction phasing now and I anticipate knowing within the next couple of months how this will be phased. We are trying to minimize the disruption to you and the other residents on Goshen Road. I hope this answers your question or at least gives you an idea of what we are working toward. I will keep you posted on how we are moving forward. Do not hesitate to contact me with any questions you may have. I cannot provide the phasing today simply because I don't have it but we should soon. Sara

>>> <bruce.isaachsen@gsa.gov> 9/16/2010 8:37 AM >>>

Sara, Thanks for the update. Would 659 relocated be constructed from Tall Cedars south to Braddock, from Road A south to Braddock? If 659 relocated is built, abandonment of Goshen south of Road A to Road B would be a moot point. Thanks.

Bruce R. Isaachsen, PE
Cost Estimator
Professional Services Branch
Design & Construction Division
Public Buildings Service
National Capital Region
U.S. General Services Administration
301 7th St. SW - Room 2010
Washington, DC 20407
bruce.isaachsen@gsa.gov
202-205-0132

"Sara Howard-O'Brien" <Sara.HowardOBrien@lcps.org>

To <bruce.isaachsen@gsa.gov>

cc "George Phillips" <George.Phillips@loudoun.gov>, "Marchant Schneider"

09/14/2010 03:43 PM

<Marchant.Schneider@loudoun.gov>
Subject Re: Closing of Goshen Road for HS-7

Bruce: good afternoon. This morning LCPS staff met with VDOT and the County Office of Transportation to review the proposed abandonment of a portion of Goshen Road. The purpose of the meeting was to review the proposed abandonment, the appropriate process for abandonment, and how a portion of Goshen Road may be closed during construction, if necessary. While we continue to work with VDOT and the County on the details, LCPS has decided to pursue the abandonment by the process that requires the alternate road to be constructed and accepted into the VDOT secondary road system. (State Code 33.1-155). In other words, Road A and Relocated Route 659 would need to be constructed and a part of the State's Road System to formally abandon that portion of Goshen Road.

We still may need to close Goshen Road between Roads A and B during the construction process for safety purposes but have not yet determined if or when this would be. We are looking at various alternatives, including your suggestions below. We will be examining our construction schedule and figuring out the best way to move forward in the coming weeks. I will keep you informed and would be happy to discuss or meet with you at any point in the process. Presently, we are in public hearing for the school use. The abandonment review process will not occur until the new road is constructed and accepted (anticipated Fall 2012 timeframe). Generally, it takes approximately 60 days after the legislative approvals are secured (special exception and zoning) for the site plan to be approved. We would not anticipate construction moving forward until late this year and most likely January 2011. The construction phasing and the timing for closure of Goshen Road (if it is necessary to even close the road) will be reviewed in the coming weeks. LCPS is aware of your concerns and we are looking to find ways that we can all get where we need to be. We appreciate your contacting us and working with us. I will be in touch again soon. Do not hesitate to contact me at any time. Sara

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>>> <bruce.isaachsen@gsa.gov> 9/2/2010 11:23 AM >>>

Sara, some issues I want to bring to your attention regarding the early closing of Goshen Road. Currently, Arcola Elementary School uses that portion of Goshen Road for the bus route my son and two other children take to school. My wife and I also use that portion of the road for access to Braddock Road to visit friends both east and west of Goshen off of Braddock as well as access to the Giant in South Riding and church. I do favor the closing of Goshen Road in the end plan in the hope that traffic will no longer come flying down the road at 45+ mph. Perhaps Rt 659 and Road A can be constructed before closing Goshen or Goshen can be left open for authorized vehicles and local access only and not

through traffic (signage near the Boyd School can be posted). Feel free to contact me regarding this. I have also left voice mails for you as well as George and Marchant. I will also try to attend the public hearing on the 12th. Thanks.

Bruce R. Isaachsen, PE
Cost Estimator
Professional Services Branch
Design & Construction Division
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301 7th St. SW - Room 2010
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schneider, marchant

From: phillips, george
Sent: Monday, September 13, 2010 5:56 PM
To: schneider, marchant; Birkitt, Judi
Cc: Beacher, Andrew; Mosurak, Lou
Subject: Secondary Road Abandonment Information
Attachments: Road Abandonment Info.pdf

Lou, Marchant and Judi- 9/13/10

As requested for information you are putting together for the PC for Hs-7, I am providing you with some background information regarding road abandonments. The attached excerpts regarding road abandonment information come from the VDOT publication titled **Guide for Additions, Abandonments and Discontinuances Secondary System of State Highways** dated February 1, 1993.

Please note that this refers to road abandonments for Secondary roads (Route 600 and above in VA) which are approved by the local Board of Supervisors or Town Council. Proposed abandonments on Primary roads (Route numbers below 600) are reviewed and approved by the Commonwealth Transportation Board. This is a State Board made up of 17 members who are appointed by the Governor to four year terms subject to confirmation by the General Assembly. The VA State Secretary of Transportation serves as the chairman.

Road abandonments on secondary roads are typically requested by interested land owners and local government agencies to remove a existing right-of-way, whether a "paper street" approved with a development which is not actually built or an actual roadway. The reasons for proposed abandonments include:

1. Private property owners wanting the ROW for use along or adjacent to their property.
2. The road may no longer be necessary because of a change in traffic pattern or due to the construction of a replacement road.
3. A right -of- way may never have been actually constructed and is no longer considered necessary or possible to build.

The road abandonment process begins with :

1. A request from an interested land owner or government agency. This comes in the form of a cover letter which includes the reason for seeking the proposed abandonment, the names of the interested parties, a formal petition requesting the Board to abandon the road segment in question and a plat detailing the specific limits (beginning and end points) of the proposed abandonment.
2. County staff processes the proposed abandonment. The County does not currently charge the applicant for a requested abandonment. The information is sent to the County Administrator and it is sent to OTS for our review and to begin the referral process. Multiple copies are requested to send out on referral.
3. Similar to rezoning or special exception applications, the road abandonment application is sent out to various agencies (VDOT, the County Attorney's Office, Building & Development, Fire & Rescue, Loudoun Water, Utility companies etc.) for review and formal comment. OTS staff also coordinates with the County Attorney's Office to insure that the appropriate VA Code section is being referenced in the petition.
4. Comments are received, discussed and resolved prior to going to the Board of Supervisors for approval. From a transportation perspective, we want to make sure no one is being land locked or losing access from the proposed abandonment. We also want to make sure that those parties who still need access (often utilities or Fire & Rescue for emergency access) are granted the proper easements in conjunction with the abandonment.

From past experience with the Board and County Attorney's Office, we don't go forward to the Board without a recommendation of approval from the staff based on the comments received. It is not uncommon for the road abandonment process to take long periods of time resolving issues which can last for years. A minimum time frame is 4-6 months.

5. When the abandonment is ready to go forward to the Board, a staff report is prepared which documents the proposed application, the comments received and the staff recommendation. A resolution is also prepared and finalized by County staff with detailed review and comment from the County Attorney. Depending on which VA code section the Road abandonment comes under (33.1-151 or 33.155 etc.) the Board will hold a public hearing to consider the abandonment or discuss it at a Board business meeting. If there are no issues, they will often suspend the rules and vote after the public hearing is closed. At a business meeting, it is often put on consent agenda.
6. In either case, the Board will vote on the resolution to abandon. Once it is approved and a copy teste issued, OTS staff sends VDOT and the applicant a copy.

Let me know if you have any questions.

Thanks, George

2.2 Abandonment of Roads from the Secondary System of State Highways

There are two statutes for abandoning a road that is a part of the secondary system of state highways. They are compared here and discussed later in separate sections.

1. To abandon a road under §33.1-151, the BOS must find either that
 - (a) "no public necessity exists for the continuance of the section of the secondary road as a public road" (i.e., lack of public use), or
 - (b) "the safety and welfare of the public would be served best by abandoning the section of road"
2. To abandon a road under §33.1-155, a new road "which serves the same citizens as the old road" must be already constructed to Department standards and accepted into the secondary system. In practice, the acceptance of the new road and the abandonment of the old road may be acted upon on the same day, but only in that sequence.

2.2.1 The Process of Abandonment (§33.1-151)

A county receiving a request to abandon a section of road should first consider the matter on a preliminary basis. Once abandoned, it may not be possible to re-add a street as part of the secondary system of state highways should the Board of Supervisors have a change of heart.

Section 33.1-151 requires the BOS to announce its intent to abandon a road, including providing formal notice to the Commissioner, and a willingness to hold a public hearing. The process and considerations are detailed later in this section in a flow chart entitled "Abandonment of a Road from the Secondary System of State Highways."

Following a public hearing, assuming one is requested and properly held, the BOS acts to either dismiss the abandonment or to abandon the road within a prescribed time frame.

Upon receipt of the BOS's notice of intent to abandon a road, the resident engineer should promptly evaluate the proposed abandonment and forward the BOS's notice of intent and his recommendations to the Secondary Roads Division (SRD). The Secondary Roads Engineer normally prepares the formal response from the Commissioner to the BOS.

- (a) If the Department concurs with the abandonment, the Commissioner's response takes the form of an acknowledgment.
- (b) If the Department does not concur, the Commissioner's response to the BOS may cite appropriate concerns against the abandonment. The resident engineer will formerly present those concerns to the county, in writing and in person at the public hearing and at subsequent meetings of the BOS scheduled to consider or act on the proposed abandonment.

If the BOS takes action to abandon the road over the Department's objections, the resident engineer shall notify the Secondary Roads Division as soon as possible to begin determinations for appeal.

2.2.2 The Effects of Abandonment

For roads that have only a prescriptive easement for right-of-way (reference §33.1-184), a lawful abandonment, under either of the above Code sections, normally extinguishes the prescriptive easement and the road ceases to be a public road (ref. §33.1-153, Board of Supervisors v. VEPCO, 213 Va. 407, 192 S.E.2d 768 (1972)). No subsequent conveyance of right-of-way is applicable.

For roads that have right-of-way dedicated to public use, abandonment has the effect of closing the road to the public, but interests in the real property dedicated for right-of-way may only be transferred by a separate conveyance (reference §33.1-154). Right-of-way dedicated to a county government may be conveyed by the county; right-of-way dedicated to the Commonwealth may be conveyed only by the Department. The conveyance of right-of-way may follow an abandonment, but may not precede an abandonment.

2.2.3 Appeals of Abandonments under §33.1-151

If the BOS abandons a road, an appeal to the circuit court may be made within the 30 days of the order of abandonment, pursuant to §33.1-152 by any of the affected parties so empowered, including:

- o Abutting property owners provided they petitioned for a public hearing.
- o Commonwealth Transportation Commissioner
- o Director of Game and Inland Fisheries (when appropriate)

If no appeal is noted, the resident engineer prepares the necessary documents described in the administrative actions chart located after Section 2.4.

2.3 Abandonments under §33.1-155

Section 33.1-155 is provided as an alternative means of abandoning roads to §33.1-151. Under §33.1-155, a new road "which serves the same citizens as the old road" must be already constructed to Department standards and accepted into the secondary system. In practice, the acceptance of the new road and the abandonment of the old road may be acted upon on the same day, but only in that sequence.

As cited in the case *Hudson v. AMOCO*, 152 F. Supp. 757 (E.D. Va. 1957), aff'd, 253 F.2d 27 (4th Cir. 1958), four (4) essential findings are necessary:

- 1 That the road be altered.
- 2 That a new road be constructed in lieu thereof.
- 3 That the new road serves the same citizens as the old road.
- 4 That approval of the Commonwealth Transportation Commissioner be obtained.

2.3.1 Appeals of Abandonments under §33.1-155

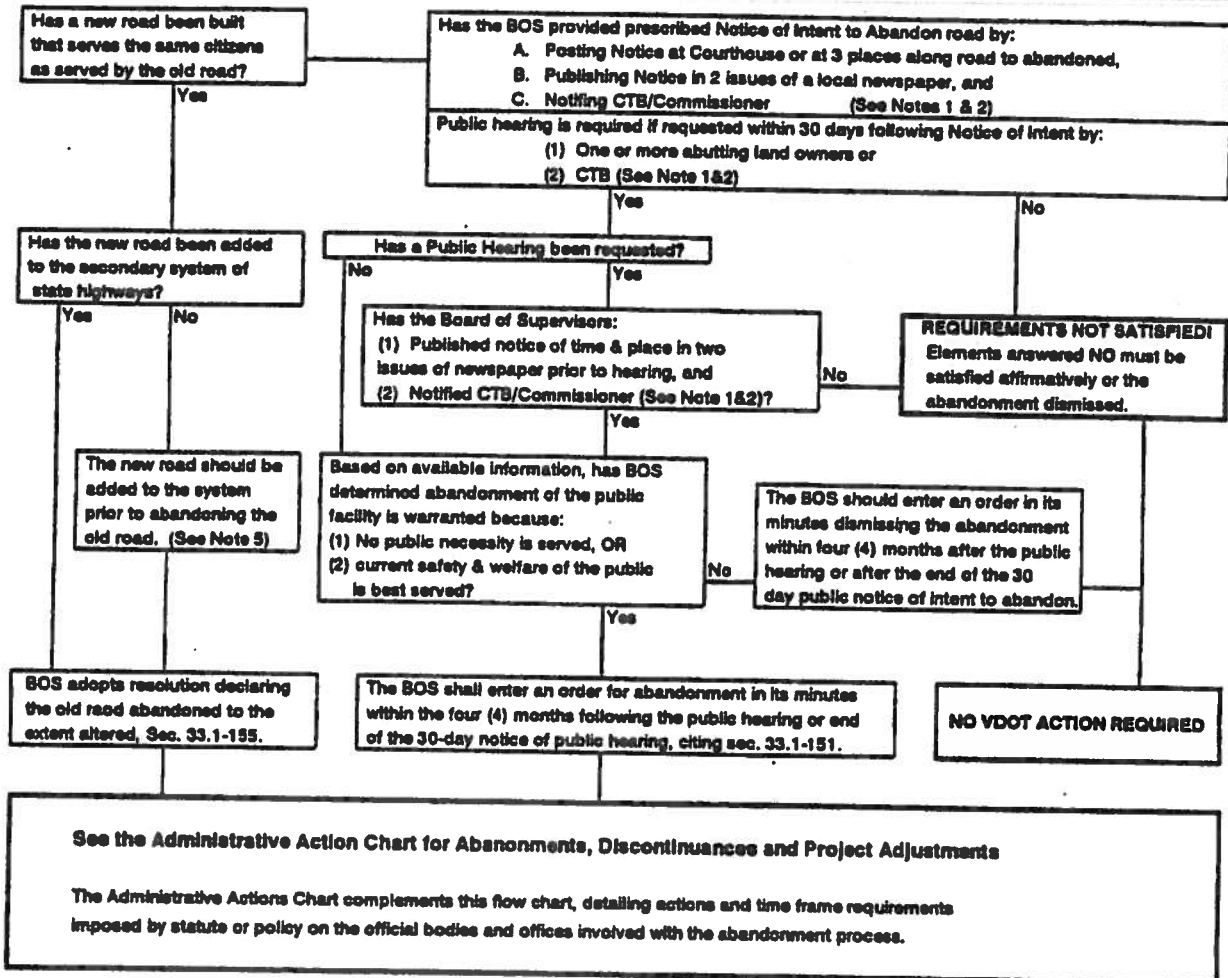
There appears to be no provision for an appeal to the courts from abandonments pursuant to §33.1-155, except as occasioned by fraudulent or indiscriminant acts. (Ref. 1 - *AMOCO v. Leaman*, 199 Va. 637, 101 S.E.2d 540 (1958) and Ref. 2 - *Hudson v. AMOCO*, 152 F. Supp. 757 (E.D. Va. 1957), aff'd, 253 F.2d 27 (4th Cir. 1958).

2.4 Procedural Chart and Resolutions for Abandonments under §33.1-151

Two distinct steps are required of the board of supervisors to abandon a road, each requiring a resolution. A procedural flow chart, mapping the required steps and considerations, for abandonments appears on the following page. Resolutions addressing the distinct steps required for abandonments under §33.1-151 follow the procedural flow chart. The Administrative Actions Chart for Abandonments, Discontinuances and Project Adjustments follow the resolutions (R12, notice of intent, and R13, abandonment).

ABANDONMENT OF A ROAD FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS UNDER 33.1-151 OR 33.1-155, CODE OF VIRGINIA

The power to abandon a road is vested entirely in the Board of Supervisors of the various counties or equivalent local governing body.



Notes:

- 1 The Department of Game and Inland Fisheries is to be notified when the proposed abandonment involves a public landing.
- 2 The Resident Engineer is to notify the Secondary Roads Engineer immediately upon learning of efforts to abandon a secondary road, advising of the circumstances concerning the potential abandonment, and his recommendations.
- 3 When the road proposed to be abandoned lies in more than one county, the BOS of each county involved must agree on the proposed abandonment. (As a practical matter, this applies to Sec. 33.1-151 & -155, but is cited only under Sec. 33.1-151.)
- 4 Any appeal from a BOS' order of abandonment under Sec. 33.1-151 shall lie to the circuit court of the county pursuant to Sec. 33.1-152.
- 5 As a practical matter, when the abandonment (or discontinuance) of an old road is associated with the construction of a new road that serves the same citizens as the old, the new road is added first in the BOS' resolution.
- 6 Abandonment of a road has the effect of removing the road from the public domain as a public way.
- 7 When public service is provided, but not sufficient to justify maintenance as a public expense, a discontinuance, pursuant to Section 33.1-150, should be considered.

SRD 2/1/93

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SRD 2/1/83

R12 County order to post notice of intent to abandon a road per §33.1-151

The Board of Supervisors of _____ County, in regular meeting
on the _____ day of _____, 19____, adopted the following:

RESOLUTION

WHEREAS, it appears to this Board that Secondary Route _____, from
_____ to _____ a
distance of _____ miles, serves no public necessity and is no longer necessary as a part
of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED: The Clerk of the Board is directed to post and
publish notice of the Board's intent to abandon the aforesaid section of Route _____, pursuant
to §33.1-151 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to
the Commissioner of the Virginia Department of Transportation.

Recorded Vote

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

A Copy Tests:

(Name), (Title)

R13 Abandonment of a secondary road per §33.1-151

The Board of Supervisors of _____ County, in regular meeting
on the _____ day of _____, 19____, adopted the following:

RESOLUTION

WHEREAS, a public notice was posted as prescribed under §33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the secondary system of state highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary Route _____ from _____ to _____, a distance of _____ miles, and hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the secondary system of state highways, pursuant to §33.1-151, Code of Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Recorded Vote

Moved By: _____

Seconded By: _____

Yeas: _____

Nays: _____

A Copy Teste:

(Name), (Title)

**Administrative Actions for Abandonments, Discontinuances and Project Adjustments
Affecting the Secondary System of State Highways**

INITIATING OR RESPONSIBLE PARTY	TYPE OF ADJUSTMENT & RELATED STATUTE, CODE OF VA						
	Non-Project Related		Project Related Adjustments				
	Abandonment pursuant to Sec. 33.1-151	Discontinuance pursuant to Sec. 33.1-150	Discontinuance pursuant to Sec. 33.1-150	Addition pursuant to Sec. 33.1-229	Abandonment pursuant to Sec. 33.1-155		
Board of Supervisors Posts Notice of Intent to Abandon	30 days prior to public hearing	NA	Not Applicable				
Resident Engineer reports intent and recommends a response to the Secondary Roads Engineer.	Within 10 working days						
Secondary Roads Engineer prepares response to County for Commissioner	Within 10 working days						
Resident Engineer represents Department in subsequent proceedings.	Required						
BOS acts to (1) abandon road or (2) denies proposed abandonment	Required						
Abutting Landowner, CTB or DGI may appeal abandonment under Section 33.1-152 within 30 days	As deemed appropriate	NA	NA				
CTB provides notice to LGB of Intent to discontinue facility	30 days prior to CTB action 30 days prior to CTB action 30 days prior to CTB action					30 days prior to CTB action	
CTB posts notice of intent to discontinue						Not Required (See Note 2)	
CTB posts notice of any required public hearing						Not Required (See Note 2)	
Resident Engineer & District concur on and recommends non-project related discontinuance.						Required	
Traffic Engineering forwards project sketch to District	Required for all projects.						
District and Resident Engineer annotate project sketch and prepares recommendations to BOS	Required for all projects.						
BOS acts to (1) add new roadways	NA	NA	NA	Required	NA		
(2) abandon old roadway under Sec. 33.1-155				NA	If Required		
(3) concur in discontinuances			If Required		NA		
(4) request renumberings of route(s)			NA	As Required			
Resident Engineer prepares addition assembly consisting of Certified copy of the BOS's resolution.	Required of all changes.						
Completed Forms SR-4, SR-5 and T&S-5							
Surety and Maintenance Fees (See Note 1)	NA	NA	NA	If by Developer	NA		
Supporting map and sketches of the additions	Required of all changes.						
Supporting correspondence and/or information							
Secondary Roads Division 1 Reviews & processes assembly for Commissioner's action 2 Forwards mapping information and sketches to Traffic Engineering Division 3 Advises BOS and VDOT staff of Commissioner's action 4 Prepares resolution & monthly report for affirmation by CTB 5 Revises VDOT records to show the addition	Required of all changes						
Commonwealth Transportation Board affirms Commissioner's action.	Applies to all Additions						

General Notes

- 1 Surety and Maintenance fee required for relocation projects completed by developers.
- 2 Where section of road to be discontinued has been replaced by new road serving the same citizens

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2.5 Abandonment of Public Roads Not a Part of the Secondary System of State Highways, under Title 33.1, Article 12

Article 12 addresses the abandonment of roads not in the State Highway System or the secondary system of state highways and specifically:

"... county roads maintained by a county and not part of the secondary system, and to roads dedicated to the public but which are not parts of the State Highway System, or the secondary system. The term "road" shall include streets and alleys in case of dedication to the public and shall likewise include existing crossing of the lines of a railway company of such road and crossing by such road of the lines of a railway company." (ref. §33.1-156)

Former portions of the secondary system of state highways, discontinued as a part thereof pursuant to §33.1-150, are properly abandoned under the provisions of §§33.1-157 through 33.1-161. Such abandonments may be appealed under the provisions of §33.1-162. (See §33.1-163 for the effects of any abandonment under this article of the Code.)

VDOT will normally take no position on an act of vacation.

2.5.1 Vacations pursuant to §15.1-482

Pursuant to §33.1-166.1, a vacation under the provisions of §15.1-482, subsection b, may be used as an alternative means of abandoning roads that are not a part of the State Highway System or the secondary system of state highways, as prescribed by §§33.1-157 through 33.1-164.

Abandonments by this vacation process may be appealed under the provisions cited in §15.1-482.

2.5.2 Vacation Process Not Applicable to the Secondary System of State Highways

The Attorney General's Office has held that a vacation does not apply to roads maintained as a part of the secondary system of state highways.

SRD 2/1/93 .

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2.6 Project Adjustments to the Secondary System

Construction projects frequently relocate a portion of an existing road or adjust the alignment sufficient to sanction the abandonment or discontinuance of portions of the old alignment. Such actions adjust the mileage of the road requiring revision to the Department's maintenance log. The actions of addition, discontinuance, and abandonment, apply to the full width of right of way between termini measured along alignment centerline.

In most cases the termini will be defined as the intersections of the old and new alignment centerlines. However, the end of a turnaround facility or the intersection of the centerline from an intersecting road are other acceptable termini.

Sections of road affected by relocation projects must be clearly defined. Color coding, while informative, is lost in reproduction and microfilming. The Department's Highway Traffic Records Inventory System (HTRIS), uses a link-node concept to inventory lengths of roads throughout the state. That system uses a reference point called "node" to define termini which are tied by a road segment called "link." While termini of changes to the system will not likely match the nodes of the HTRIS system, the concept provides an excellent way to define changes due to relocation projects and improves on former methods.

The sample project provided later in this section uses letters to identify termini points (nodes) and links are identified by combining the two letters (Node A + Node B = Link AB). This approach is encouraged.

The management flow charts and administrative actions chart appearing in sections 2.1 and 2.4 also apply to adjustments due to relocation projects.

2.6.1 Priority of Adjustments

Although the actions of addition, abandonment and discontinuance usually occur simultaneously, the following order should be used:

1. The length of the relocated portions (full ROW width) are first added to the system pursuant to §33.1-229.
2. The length of old portions to be abandoned (full ROW width) are then abandoned pursuant to §33.1-155.
3. The length of old portions to be discontinued (full ROW width) are then discontinued pursuant to §33.1-150.
4. Any renumbering of former sections of roads that remain a part of the secondary system of state highways completes the process.

2.6.2 Resolution for Adjustments Due to Projects

Additions and abandonments resulting from projects require action by the board of supervisors. While discontinuances associated with projects are under the purview of the Commonwealth Transportation Board, the concurrence of the board of supervisors is desired.

A sample resolution R9 that provides the appropriate order of actions (addition-abandonment-discontinuance, as applicable) and provisions for making adjustments to the secondary system of state highways required as a result of projects follows. Sections in the resolution that do not apply to specific cases are to be deleted.

R9 Project Adjustments Involving Addition, Discontinuance and/or Abandonment

The Board of Supervisors of _____ County, in regular meeting
on the _____ day of _____, 19____, adopted the following:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated _____ depicting the additions, discontinuances and abandonments required in the secondary system of state highways as a result of Project _____, which sketch is hereby incorporated herein by reference,

WHEREAS, the portions of old road identified to be discontinued are deemed to no longer serve public convenience warranting maintenance at public expense, and

WHEREAS, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road identified by the sketch to be added, pursuant to §33.1-229, Code of Virginia, and

BE IT FURTHER RESOLVED, this Board concurs with the discontinuance as part of the secondary system of state highways, those portions of road identified by the sketch to be discontinued, pursuant to §33.1-150, Code of Virginia, and

BE IT FURTHER RESOLVED, this Board abandons as part of the secondary system of state highways those portions of road identified by the sketch to be abandoned, pursuant to §33.1-155, Code of Virginia:

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By: _____

Seconded By: _____

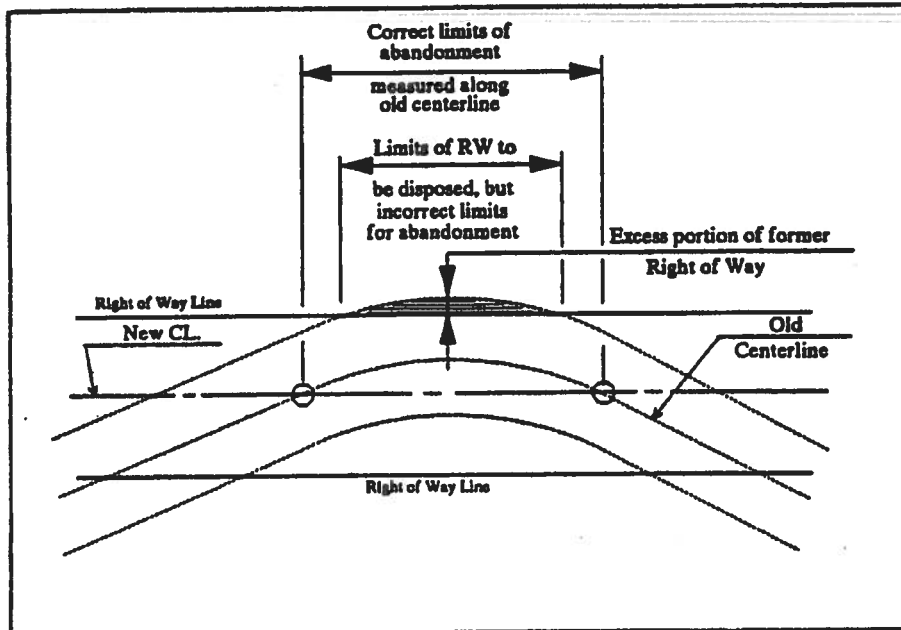
Yeas: _____

Nays: _____

A Copy Teste:

(Name), (Title)

2.6.3 Limits of Abandonments (Adjustments Due to Projects)



To dispose of a portion of old alignment right of way that is wholly or partly situated outside of a new alignment, it is usually necessary to abandon the full width of the former roadway. The abandonment process must apply to the entire width of the old alignment, even when only a part of the former right of way is involved as illustrated. The termini of the portion to be abandoned may be substantially different than the limits of the portion deemed 'excess' and to be transferred.

The proper termini defining such an abandonment is (typically) the intersecting points of old and new centerlines. In relocation project adjustments, the simultaneous actions of addition and abandonment assures the right of way required for the new alignment and releases those portions of right of way situated outside of the new right of way, allowing a declaration of excess right of way. Any subsequent formal transfer of title must be in accordance with procedures of Sec. 33.1-154, Code of Virginia. Right of way that existed as a prescriptive easement automatically reverts to abutting landowners upon abandonment.

SRD 2/1/93

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2.6.4 Sample Project

To illustrate desired documentation for relocation projects, a "Project Adjustment Example" (resolution and project sketch only) is provided for a project located in "Byrd County." Sections of Patrick Henry Road are added, discontinued, abandoned and renumbered. A method of identifying sections of road is used that is similar to the link-node concept used by the Department's Highway Traffic Records Inventory System (HTRIS). Reference points called nodes define termini which are linked by segments of road. The termini of changes will not likely concur with the node of the HTRIS system but the concept improves on former methods relying largely on color coding or designating the section of road by a single letter or number.

No subsequent transfer of title for property rights is provided in this example, nor are the usual forms that accompany such changes provided. Section 2.6.3 of this guide illustrates and explains requirements related to transfers of former, excess right of way.

For the purposes of this example, it is assumed the right of way for the relocation is donated and the Board of Supervisors is therefore providing the usual guarantee.

PROJECT ADJUSTMENT EXAMPLE

Board of Supervisors of Byrd County

The Board of Supervisors of Byrd County, in regular meeting on the 1st day of July, 1993, adopted the following:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has constructed Patrick Henry Road on a new alignment under Project 0760-027-P76, C501, and

WHEREAS, the project sketch, attached and incorporated herein as a part of this resolution, defines adjustments required in the secondary system of state highways as a result of that construction, and

WHEREAS, the new road serves the same citizens as served by those portions of old road identified in the project sketch to be abandoned, which portions no longer serve a public need, and

WHEREAS, the portion of old road identified to be discontinued is deemed by the Virginia Department of Transportation to no longer provide a public convenience sufficient to warrant maintenance at public expense as a part of the secondary system of state highways,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add Links A-F and G-B to the secondary system of state highways, pursuant to §33.1-229 of the Code of Virginia, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board hereby abandons Links A-B, C-D and E-F from the secondary system of state highways, pursuant to §33.1-155 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board concurs with the Commonwealth Transportation Board's discontinuance of Link D-E as a part of the secondary system of state highways, pursuant to §33.1-150 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests that Links G-B and B-C be accordingly renumbered as part of the secondary system of state highways, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By:

Seconded By:

Yeas: 5

Nays: 0

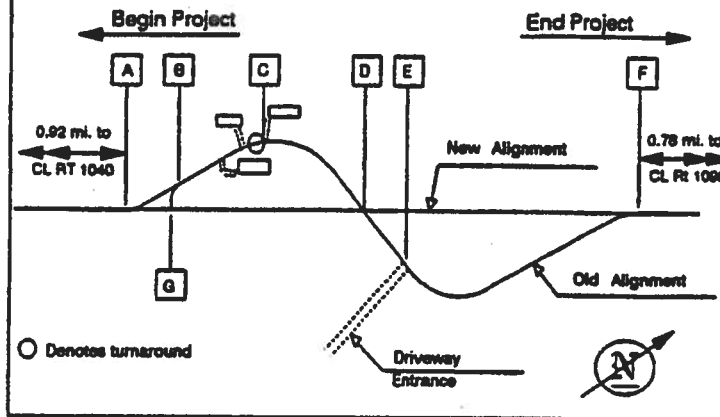
Mr. Richard Bland

Mr. R. Henry Lee

A Copy Teste:

Betsy Griscom, Secretary

Byrd County Project 0760-027-P76, C501



Link	Length (miles) by Action				Alignment Old/New	Right of Way Date Recorded		Description and Comments
	Add	Discon- tinues	Abandon	Re- number		Deed Book	Page	
A-F	1.50				New	March 26, 1992		Add length of new alignment, beginning and ending at intersections of centerlines of the old and new alignment (at points A & F).
A-B			0.19		Old	786	2576	Abandon portion of old alignment between intersecting centerlines of the old alignment and the new construction (at points A & B).
G-B	0.00				New Connection to Old	March 26, 1992		Add length of new connection from intersection of centerlines at points G & B.
B-C				0.25	Old			Link of old road that will remain in the secondary system of state highways will be renumbered.
C-D			0.36		Old			Abandon portion of old road from end of turnaround (point C) to intersection of centerlines of old and new alignments at point D.
D-E		0.21			Old			Discontinue portion of old road that is to remain a public road but not maintained as a part of the State's system. Measure from intersecting centerlines (at points D & E).
E-F			0.72		Old			Abandon portion of old road alignment from the end of the link discontinued (point E) and the intersection of the centerlines of the old alignment and new construction at point F.

Notes: Color coding of links (segments) for reference is not sufficient. Named links are required!

Measure length along alignment centerlines between points of intersecting centerlines or to the back of turnarounds.

Form SR-5 required for

- Addition of Link A-F
- Addition of Link G-B
- Discontinuance of Link D-E
- Abandonment of Link A-B, C-D, and E-F.

SRD 2/1/93

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schneider, marchant

From: phillips, george
Sent: Friday, September 03, 2010 2:47 PM
To: Hobbie, Jason
Cc: schneider, marchant
Subject: RE: FW: Abandonment of Goshen Rd

Jason- 9/3/10

We are not going forward with the abandonment (Board Public Hearing on October 12) now. See my previous E mail in which I forwarded Sara Howard O'Brien's latest. The VDOT Central office opposes the proposed abandonment and we are going to meet with VDOT on Sept 14 to discuss. Let me know if you have any questions.

From: Hobbie, Jason
Sent: Friday, September 03, 2010 2:39 PM
To: phillips, george
Cc: Sara Howard-O'Brien
Subject: RE: FW: Abandonment of Goshen Rd

George,

I am not familiar with Virginia Code Section 33-193, however, I will look into how it may have been used by the County in the past. I can tell you right now that we recommend deference to VDOT's position in regard to the abandonment of Goshen Road. Please keep me informed if you receive any further details about the September 14 meeting. I have not received any sort of communication in regard to it. Thanks.

Jason

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@lcps.org]
Sent: Friday, September 03, 2010 2:29 PM
To: phillips, george
Cc: Mark Baker; Cody Francis; Chris Mohn; Chris Tacinelli; Tushar Awar; Claus Bader; Kenneth Theurich; Kevin Lewis; Randy Vlad; Sam Adamo; Beacher, Andrew; Stewart, Ann; Yudd, Charles; Hobbie, Jason; Gilbert, Jeanette; Mosurak, Lou; schneider, marchant; Brown, Ron; Chris Myers; Dave McElhaney; Farid Bigdeli; Imad A. P.E. Salous; John Bassett; Joseph Williams; Tom VanPoole
Subject: Re: FW: Abandonment of Goshen Rd

George, in light of VDOT's recent comments, I am writing (on behalf of LCSB) to ask that we postpone the abandonment hearing that was targeted for the October 12th Board of Supervisors meeting. As you know, we have a meeting scheduled with VDOT on September 14th to review the proposed abandonment and alternate processes. LCSB desires to work with the County and VDOT and we want to make sure everyone is in concert in moving forward. To that end, please cease the advertising, posting and preparation for the October 12th abandonment hearing.

We look forward to meeting with all on the 14th to determine where we go from here. We will proceed with the SPEX and ZMAP public hearing for HS-7/ES at the Planning Commission on 9/15 and on to the Board on 10/12 while we continue to work on the appropriate process to address Goshen Road.

Thank you for your continued assistance and guidance. Please contact me if you have any questions. Let me know if you need anything additional from me for the file. Have a good weekend. Sara

Sara Howard-O'Brien
Land Management Supervisor

Loudoun County Public Schools
Planning and Legislative Services
21000 Education Court
Ashburn, Virginia 20148
Phone: 571-252-1156
Fax: 571-252-1101
E-mail: **Note New as of 8/10** Sara.howardobrien@lcps.org

>>> "phillips, george" <George.Phillips@loudoun.gov> 9/2/2010 12:27 PM >>>

Sara- 9/2/10

Pleased see attached comments from the VDOT Central Office. It looks like we don't have their support for the abandonment under Section 151 now and this will likely delay our proposed October 12 public hearing. But, Mr. Williams does mention that eventual abandonment under section 33.1-193 and then section 33.1-155 is possible. I want Jason to weigh in on this before we decide how to proceed. Let me know your thoughts.

Jason- See the attached response from VDOT . I thought this was important for you to see regarding your approach to this. Are you familiar with the VA Code section 33-193? Let me know you thoughts.

Thanks, George

From: Salous, Imad A., P.E. [mailto:Imad.Salous@VDOT.Virginia.gov]
Sent: Wednesday, September 01, 2010 1:54 PM
To: phillips, george
Subject: FW: Abandonment of Goshen Rd

George,

Please see the attached e-mail from our Central Office not supporting the abandonment of Goshen Rd under §33.1-151.

As we discussed in our last meeting and suggested in the attached e-mail, , it seems the reasonable approach is to close the road for construction and proceed with abandonment after the replacement road has been completed and accepted by VDOT.

Please let me know if you have any questions.

Imad Salous, P.E

Loudoun Permits Manager

Va Department of Transportation

Office 703-737-2026

Cell 571-271-3059

From: Williams, Joseph R.
Sent: Wednesday, September 01, 2010 11:10 AM

To: Salous, Imad A., P.E.
Cc: Chowdhury, Tanveer, P.E.
Subject: RE: Abandonment of Goshen Rd

Imad,

I looked over the information and I have a couple questions or concerns. My first is that public safety is being cited, but I do not see anything to support that. There are many unpaved roads that are narrow in the Secondary System. If the school had already been built I could see safety being used as an issue, but it has not been so there is not current danger to the students. If this is a maintenance or speed issue for safety we can always review it and make corrections. It appears that safety is being used only for the purposes of the construction, unless there are other elements that I am unaware of.

The information cited 300 VPD which is 3 times the required amount for street acceptance under the 2005 SSR which shows that traffic does use the road. It would seem that this abandonment under §33.1-151 would not be adequate based on the requirements of the code section and case law and could not be supported by VDOT. Abandonment under this code section would be opposed although there are alternatives that can be accomplished.

One suggestion I would make is the possibility of closing of that portion of roadway under 33.1-193 for safety and construction purposes since there is a building that is being built which would impact the road and once the new roads are completed the abandonment could proceed under 33.1-155 as alternative routes would be available.

If you have any questions or wish to discuss further please let me know.

Joseph R. Williams

Virginia Department of Transportation

Maintenance Division

(804) 786-0974

From: Salous, Imad A., P.E.
Sent: Thursday, August 26, 2010 9:55 AM
To: Williams, Joseph R.
Subject: Abandonment of Goshen Rd

Good morning Joe,

I'm sending you via mail for your review and comment a copy of a request to abandon portion of Goshen Rd, Route 616 to facilitate the construction of high school. There are plans to replace the referenced road and the applicant originally was going to request the abandonment under 33.1-155, but due to timing uncertainty regarding the completion of the replacement road, they decided to request the abandonment under 33.1-151.

There will be an available detour to traffic currently using Goshen Rd and the applicant is obligated by the county to complete the replacement road before the opening of the new school.

We appreciate your comments.

Thanks,

Imad Salous, P.E

Loudoun Permits Manager

Va Department of Transportation

Office 703-737-2026

Cell 571-271-3059

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Tuesday, August 31, 2010 1:25 PM
To: phillips, george; schneider, marchant
Cc: Mark Baker; Cody Francis; Chris Mohn; Claus Bader; Kenneth Theurich; Kevin Lewis; Randy Vlad; Sam Adamo; Taylor, Maria; Chris Myers; Dave McElhaney
Subject: Goshen Road Abandonment
Attachments: abandonmentContext map_8-23-2010final.pdf; ltrgoshenrdresidentsaug2010.doc; NoticeListAbandonmentaug312010.docx; Sara Howard-O'Brien.vcf

George and Marchant:

this morning I met with Rudy Landon of the Sheriff's Department regarding the proposed abandonment. while he indicated that he had to take the review further up the chain, he generally felt the abandonment would not be an issue and that he would work with us and Maria on the type of barricade that could best serve all emergency vehicles. He will get back to you George regarding the referral.

today I sent out the attached letter and map to the attached notice list. We have identified all the lots fronting on Goshen Road and sent a letter regarding the abandonment to these property owners. I have listed the both of you as potential contacts if there are questions and have offered to meet with anyone interested. I thought it would be best to make certain all property along this road are aware of the proposal.

Let me know if you have any questions. thank you for your continued assistance on our application. Sara

Sara Howard-O'Brien
Land Management Supervisor
Loudoun County Public Schools
Planning and Legislative Services
21000 Education Court
Ashburn, Virginia 20148
Phone: 571-252-1156
Fax: 571-252-1101
E-mail: **Note New as of 8/10** Sara.howardobrien@lcps.org



LOUDOUN COUNTY PUBLIC SCHOOLS
DEPARTMENT OF PLANNING AND LEGISLATIVE SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

August 31, 2010

RE: Proposed Abandonment of a Portion of Goshen Road

Dear Goshen Road Property Owner:

I am writing to provide information regarding Loudoun County Public School's request to abandon a portion of Goshen Road and to offer to meet with you and answer any questions you may have.

Loudoun County Public Schools has filed a zoning map amendment (ZMAP 2010-0001) and special exception (SPEX 2010-0003) for 97 acres of land located on Goshen Road, approximately one mile south of Route 50 and one half mile north of Braddock Road. The proposed use is for a new Dulles South High School (HS-7) and future elementary school. HS-7 is planned to open in the Fall of 2012. In conjunction with these applications, we have also filed a request with the Board of Supervisors of Loudoun County to abandon a portion of Goshen Road as it crosses the proposed school site, between future Roads A and B. The request is to abandon this portion of Goshen Road this Fall (public hearing at the Board of Supervisors on October 12, 2010) and longer term to abandon Goshen Road from Road B south to Braddock Road. With the construction of HS-7, two lanes of Relocated Route 659, Northstar Boulevard, will be constructed between Braddock Road and Tall Cedars Parkway. This new road, along with Roads A and B, will be open for travel prior to the opening of the high school in the Fall of 2012. This new road will essentially serve the same purpose as Goshen Road but will provide a significantly improved two lane road with turn lanes. It is also important to note that during construction and until Relocated Route 659 is available, the abandoned section of Goshen Road (between Roads A and B) will be available for emergency vehicles. It will be barricaded for general public travel in such a manner that continues to permit emergency vehicle access.

Enclosed for your information is a map depicting the proposed school site, the surrounding road network and the proposed abandonment on Goshen Road. The ZMAP and SPEX applications for the high school and future elementary school are scheduled for a Planning Commission Public Hearing on September 15th. The Commission's hearings begin at 6 pm in the Board of Supervisors meeting room in the County Administration Building, 1 Harrison Street, in Leesburg. These applications will also be at the Board of Supervisors public hearing on October 12, 2010, also in the Board's

To: Goshen Road Property Owners
Re: Request for Abandonment of a Portion of Goshen Road
Date: August 31, 2010

meeting room, beginning at 6:30 p.m. The request for abandonment will also be considered by the Board on October 12th. (The abandonment request is specifically reviewed and decided by the Board of Supervisors).

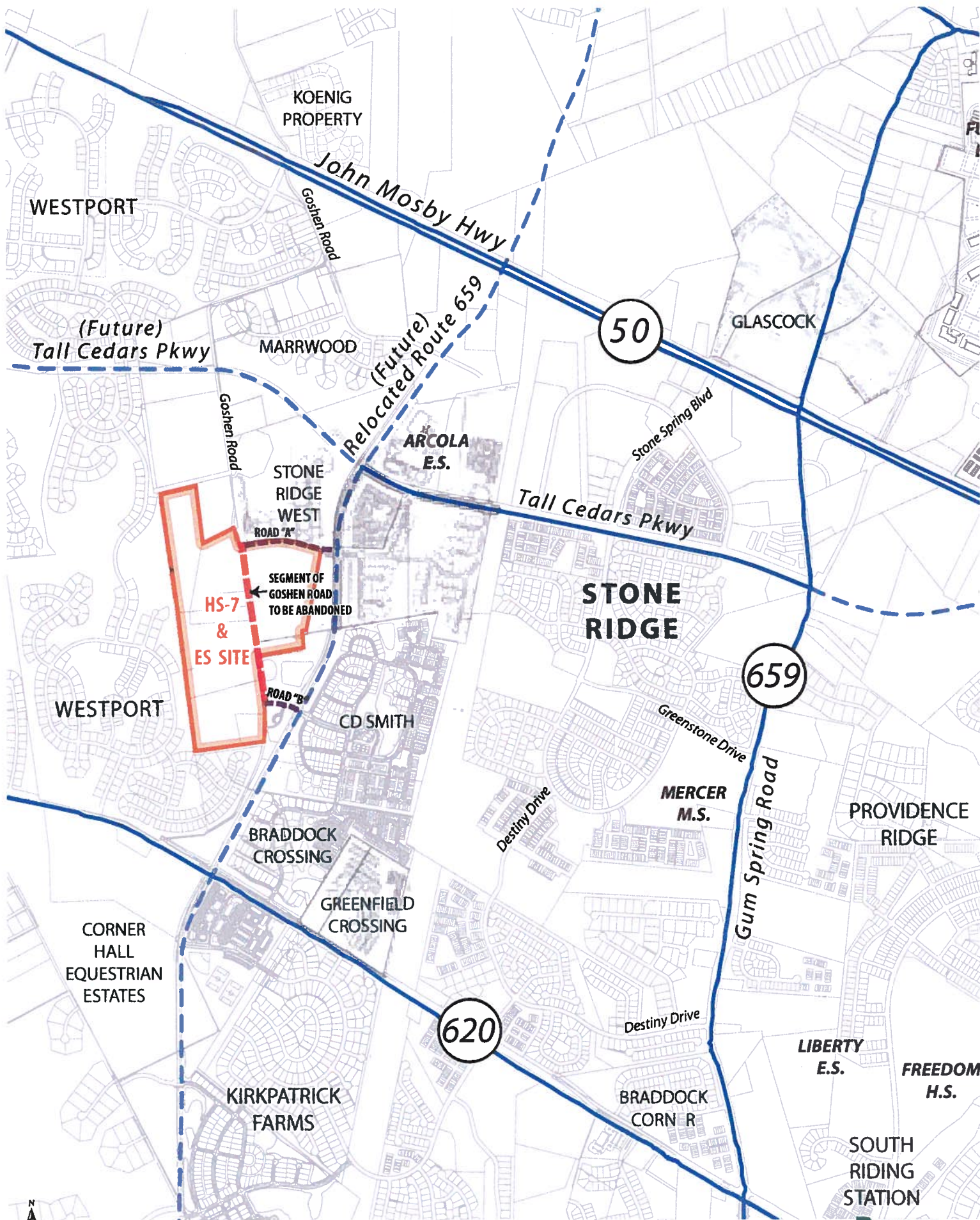
George Phillips of the County Office of Transportation [(703) 737-8624] is the County's project manager for the proposed abandonment request. Marchant Schneider of the County Planning Office [(703)-777-0246] is the project manager for the zoning and special exception applications.

Please let me know if you would like to meet, have questions or would like additional information. I would be happy to review the applications with you at your convenience. Thank you for your time and attention. My direct number is 571-252-1156 and my email is sara.howardobrien@lcps.org.

Sincerely,

Sara Howard-O'Brien, AICP
Land Management Supervisor

cc: George Phillips, Office of Transportation Services
Marchant Schneider



8-23-2010

247-28-4151; 247-18-9795; 204-15-3843; 247-20-9549; 204-26-3927; 204-37-4812
Stone Ridge Community Dev IV LLC
c/o Van Metre Companies
5252 Lyngate Ct
Burke VA 22015

247-37-4305; 247-26-9295
America, David L
24623 Goshen Rd
Aldie VA 20105-2521

247-47-4556
Graham, David J & Katherine P
24489 Goshen Rd
Aldie VA 20105-2517

246-19-7273
Church Road Lmted 350 S Washington
41239 Cannongate Dr
Leesburg VA 20175-7074

248-39-4888, 248-30-5519
Two Greens/Kirkvest LLC
8614 Westwood Center Dr Ste 900
Vienna VA 22182-2265

247-38-1737
Isaachsen, Bruce & Erin Kenna R/S
24612 Goshen Rd
Aldie VA 20105-2520

247-48-6681, 8984
Pereira, Armenio A & Paula C R/S
24396 Goshen Rd
Aldie VA 20105-2514

247-19-1835
Loudoun County Sanitation Authority
PO Box 4000
Ashburn VA 20146-2591

248-28-1176; 248-27-8446; 248-36-3758; 247-27-7911; 247-46-7281; 246-17-5787
Toll VA VI LP
c/o Toll Brothers Inc
19775 Belmont Exec Plz Ste 250
Ashburn VA 20147

247-37-3375; 247-47-2909
Harris, Gregory John Trustee
Law Offices Of Gregory Harris
20 W Market St
Leesburg VA 20176-2805

246-19-0508
Coursen, Dean W & Melissa H
24380 Goshen Rd
Aldie VA 20105-2514

248-17-6333; 248-18-0257
Winchester Homes, Inc.
6905 Rockledge Drive, Suite 800
Bethesda, MD 20817-1873

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Monday, August 23, 2010 4:31 PM
To: phillips, george
Cc: Beacher, Andrew; Yudd, Charles; Mosurak, Lou; schneider, marchant
Subject: Request for Abandonment Portion of Goshen Road
Attachments: ltrphillipsabandonmentaug192010.doc; abandonmentplataug2010.pdf; AbandonmentDOETT5185-C-MP-001 Goshen.DOC; PetitionforAbandonmentaug2010.docx; abandonmentContext map_8-23-2010final.pdf; Sara Howard-O'Brien.vcf

George, please find attached electronic copies of the documents that will be delivered to you in the morning for the revised Goshen Road abandonment request. We will be bringing 7 sets of the attached per your guidance.

I recall that Imad Salous (VDOT) wanted an electronic copy. Maria Taylor (Fire and Rescue) indicated that an electronic copy would be helpful to her so she could forward to the field staff. (Please note: I have not copied these agencies as it would be appropriate to come from you) Also, I ask that you forward a copy of this request to the County Attorney's office for their review. If you need more than 7 copies, just let me know and I will get additional sets to you. Thank you for your continued assistance. Sara

Sara Howard-O'Brien
Land Management Supervisor
Loudoun County Public Schools
Planning and Legislative Services
21000 Education Court
Ashburn, Virginia 20148
Phone: 571-252-1156
Fax: 571-252-1101
E-mail: Sara.howardobrien@LOUDOUN.K12.VA.US



LOUDOUN COUNTY PUBLIC SCHOOLS
PLANNING AND LEGISLATIVE SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

August 23, 2010

Mr. George Phillips
Loudoun County Office of Transportation
1 Harrison Street, S.E., 4th Floor
Leesburg, VA 20177

Re: Abandonment of Portion of Route 616, Goshen Road

Dear George:

In accord with recent discussions pertaining to the Loudoun County School Board's request to abandon a portion of Route 616, Goshen Road, pursuant to Section 33.1-155, **I am writing to amend our request to utilize Section 33.1-151 and to change the segment to be abandoned at this time to that portion, 1,795 linear feet or 0.3400 mile, located between two proposed roads, Road A and B, that are to be constructed with the proposed Dulles South High School, HS-7.** Please reference the enclosed graphic depicting the HS-7/ES School Site, the road network and the segment of Goshen Road requested for abandonment. The segment of Goshen Road south of Road B will be requested for abandonment at a later time. **Seven copies of the revised documents are provided for review.**

The Loudoun County School Board proposes to construct a high school and an elementary school on a 97+ acre assemblage of property known as the Goshen Road Assemblage. Presently, Goshen Road bisects the property. This abandonment is being processed concurrently with the Special Exception (SPEX 2010-0003) and Zoning Map Amendment (ZMAP 2010-0001) applications. This is necessary in order for the construction of the high school and associated infrastructure, including the transportation network, to meet the opening schedule of Fall 2012.

On behalf of the Loudoun County School Board, this letter serves to request the Board of Supervisors to abandon the portion of Goshen Road between planned Road A and B in accordance with Section 33.1-151 of the Code of Virginia. The following information is provided as justification for this requested abandonment:

1. The portion of Goshen Road to be abandoned is shown on the attached plat entitled "Plat Showing Temporary Turnaround Easement and Road Abandonment"

Goshen Road". The plat number is 5185-C-MP-001 dated March 3, 2010, revised through August 17, 2010, and was prepared by Bowman Consulting Group, Ltd.

2. The property on the west side of the portion of Goshen Road to be abandoned is owned by the Loudoun County School Board with access available on Goshen Road to the north and planned access to proposed Road A and ultimately (via Road A) to proposed Relocated Route 659.
3. The property on the east side of the portion of Goshen Road to be abandoned is owned by Loudoun County School Board or under contract by the Loudoun County School Board with closing scheduled for the Fall of 2010. Access to these properties is on Goshen Road to the north with planned access to proposed Road A and ultimately (via Road B) to proposed Relocated Route 659. Additional property on the east side is owned by Two Greens/Kirkvest LLC with Zoning approval for a community park (ZMAP 2002-0003), access to Goshen Road to the south, and planned access to proposed Road B and ultimately (via Road B) to proposed Relocated Route 659.
4. The portion of Goshen Road to be abandoned is currently owned by Loudoun County School Board, Stone Ridge Community Development IV, LLC (under contract), and Two Greens/Kirkvest LLC.
5. The safety and welfare of the traveling public would be best served by abandoning this section of Goshen Road, the 1,795 linear feet between Road A and Road B, and using alternate routes comprised of paved roadway featuring lane widths that satisfy current safety standards. This portion of Goshen Road is a narrow, substandard gravel road. As a local road, Goshen Road is not a part of the Countywide Transportation Plan network. There are significantly improved roads available and soon to be available in the vicinity. Existing Route 659, the planned connection of Destiny Drive in Stone Ridge (scheduled to open in the Spring of 2011), and planned Road A, Road B, and Relocated Route 659 (planned to open in the Fall of 2012) will each provide safe, paved and convenient access alternatives.
6. There is no direct access to residential or other uses for this section of Goshen Road
7. As a part of the development of the school site, the Loudoun County School Board will maintain emergency fire and rescue access across the abandoned portion of Goshen Road. The County Fire, Rescue and Emergency Management staff has reviewed the proposed abandonment and has voiced no objection provided emergency access remains available across the site. The proposed school site is designed such that the travelway of Goshen Road will remain in place during construction. It is proposed to be barricaded to the public with a barricade that will provide ready access to emergency fire and rescue vehicles and will be acceptable to the County's Office of Fire, Rescue and Emergency Management.
8. The existing travel volumes on this section of Goshen Road are minimal with approximately 300 trips per day.

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9. There are no known archaeological resources or historic value associated with this section of Goshen Road. Archaeological studies were conducted by Thunderbird Archeology as a part of the school site SPEX and ZMAP applications. (Reference Phase I Archeological Investigations of the 97.16 Acre High School #7 and Future Elementary School Property, Loudoun County Virginia, December 2009 on file in the County Planning Office.)

If you have any questions or need additional information, please do not hesitate to contact me. Thank you for your time and attention to this matter.

Sincerely,

Sara Howard-O'Brien, AICP
Land Management Supervisor

cc: Sam Adamo, Executive Director LCPS Planning
Kevin Lewis, Director LCPS Construction

Enclosures:

1. Plat showing Temporary Turnaround Easements and Abandonment, dated March 3, 2010, and revised August 17, 2010, prepared by Bowman Consulting Group, Ltd.
2. Deed of Easement for Temporary Turnarounds
3. Area Map depicting Proposed Abandonment in relation to road network
4. Petition for Abandonment

RECORDATION COVER SHEET

TYPE OF INSTRUMENT:	DEED OF EASEMENT
DATE OF INSTRUMENT:	_____, 2010
NAMES OF GRANTOR:	<u>THE LOUDOUN COUNTY SCHOOL BOARD</u>
NAME OF GRANTEE:	<u>BOARD OF SUPERVISORS OF LOUDOUN COUNTY</u>
BRIEF DESCRIPTION OF PROPERTY:	HS-7
DEED BOOK AND PAGE NO. WHERE PROPERTY ACQUIRED:	INSTRUMENT #20100422-0023025 INSTRUMENT #2010_____
PIN NO.:	248-38-2718
PLAT ATTACHED:	PLAT 5185-C-MP-001 BY BOWMAN CONSTULTING
COUNTY FILE NO.:	
NOTE:	THIS INSTRUMENT IS EXEMPT FROM RECORDATION FEES PURSUANT TO VIRGINIA CODE SECTIONS 58.1-811(A)(3), 58.1-811(C) AND 58.1-811(D); EXEMPT FROM SECTION 17.1-275(A)(2) FEES.
THIS INSTRUMENT WAS PREPARED BY: RETURN TO:	DAVID P. O'BRIEN, P.C. 105 Loudoun Street, SE Leesburg, Virginia 20175 BOX 15

THIS DEED OF EASEMENT (the "**Deed**") is made this _____ day of _____, 2009, by and between **THE LOUDOUN COUNTY SCHOOL BOARD**, a body corporate and politic, (hereinafter referred to as "**School Board**"); and the **BOARD OF SUPERVISORS OF LOUDOUN COUNTY, VIRGINIA**, a body corporate and politic (hereinafter referred to as "**County**").

WITNESSETH:

WHEREAS, the School Board is the owner and proprietor of certain real property (the "**Property**") as shown on plat 5185-C-MP-001, entitled "**Plat Showing Temporary Turnaround Easement and Road Abandonment GOSHEN ROAD**", dated March 3, 2010, and revised through _____, 2010, and prepared by Bowman Consulting, of Chantilly, Virginia, professional surveyors (the "**Plat**") which plat is attached hereto; and

WHEREAS, the Property is situate in Loudoun County, Virginia; the School Board, having acquired the Property by deed recorded at Instrument #20100422-0023025, as adjusted at Instrument number 2010_____, among the land records of Loudoun County, Virginia; Virginia; and

WHEREAS, it is the desire and intent of the School Board to grant and convey unto the County the easements in the locations as shown on the Plat and as hereinafter provided; and

WHEREAS, the Property is not subject to the lien of any deed of trust.

GRANT OF COUNTY EASEMENTS

NOW THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, receipt of which is hereby acknowledged, the School Board does hereby grant and convey unto the County, its successors and assigns, the easements as hereafter set forth in the respective location shown on the Plat as follows:

A. **Temporary Turnaround Easements.** Temporary turnaround easements during the period of construction and during any subsequent period in which maintenance, repairs, or reconstruction thereof may be necessary, to become null and void at such time as the purpose for which the easements were created no longer exist, as more particularly bounded and described on the Plat.

The foregoing easements are subject to the following conditions where applicable:

1. The County and its agents shall have full and free use of said easements for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the easements including the right of access to and from the easements and right to use adjoining land where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of actual construction or maintenance, and further, this right shall not be construed to allow the County to erect any building or structure of a permanent nature on such adjoining land.

2. The County shall have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities in or near the easements being conveyed, deemed by it to interfere with the proper and efficient construction, operation, and maintenance

of said easements; provided, however, that the County, at its own expense, shall restore, as nearly as possible, the premises to their original condition. Such restoration shall include the backfilling of trenches, the replacement of fences and shrubbery, the reseeding or resodding of lawns or pasture areas, and the replacement of structures and other facilities located without the easements, but shall not include the replacement of structures, trees, or other facilities located within the easements.

3. The School Board reserve the right to construct and maintain roadways over said easements to the extent not prohibited or restricted by ordinance and to make any use of the easements herein granted which may not be inconsistent with the rights herein conveyed, or interfere with the use of said easements by the County for the purposes named; provided, however, that the School Board shall not erect any building or other structure, excepting a fence, on the easements without obtaining the prior written approval of the County.

STATUTORY COMPLIANCE

This Deed is made in accordance with the statutes made and provided in such cases, with the approval of the proper authorities of the Loudoun County, Virginia, as shown by the signatures affixed to this Deed, and is with the free consent and in accordance with the desire of the School Board, the owner and proprietor of the land.

IN WITNESS WHEREOF, the School Board has caused this Deed to be signed by its duly authorized representative.

FURTHER WITNESS the following signatures and seals.

THE LOUDOUN COUNTY SCHOOL BOARD

By: _____ (SEAL)

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF LOUDOUN, to wit:

I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that _____ as _____ of THE LOUDOUN COUNTY SCHOOL BOARD, whose name is signed to the foregoing Deed, appeared before me and personally acknowledged the same in my jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2010.

My Commission Expires:

Notary Public

Registration number: _____

The Foregoing Easements Are Hereby Accepted
Pursuant To Virginia Code Section 15.2-1803.

APPROVED AS TO LEGAL FORM:

BOARD OF SUPERVISORS OF LOUDOUN
COUNTY, VIRGINIA

Assistant County Attorney

By: _____ (SEAL)

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF LOUDOUN, to wit:

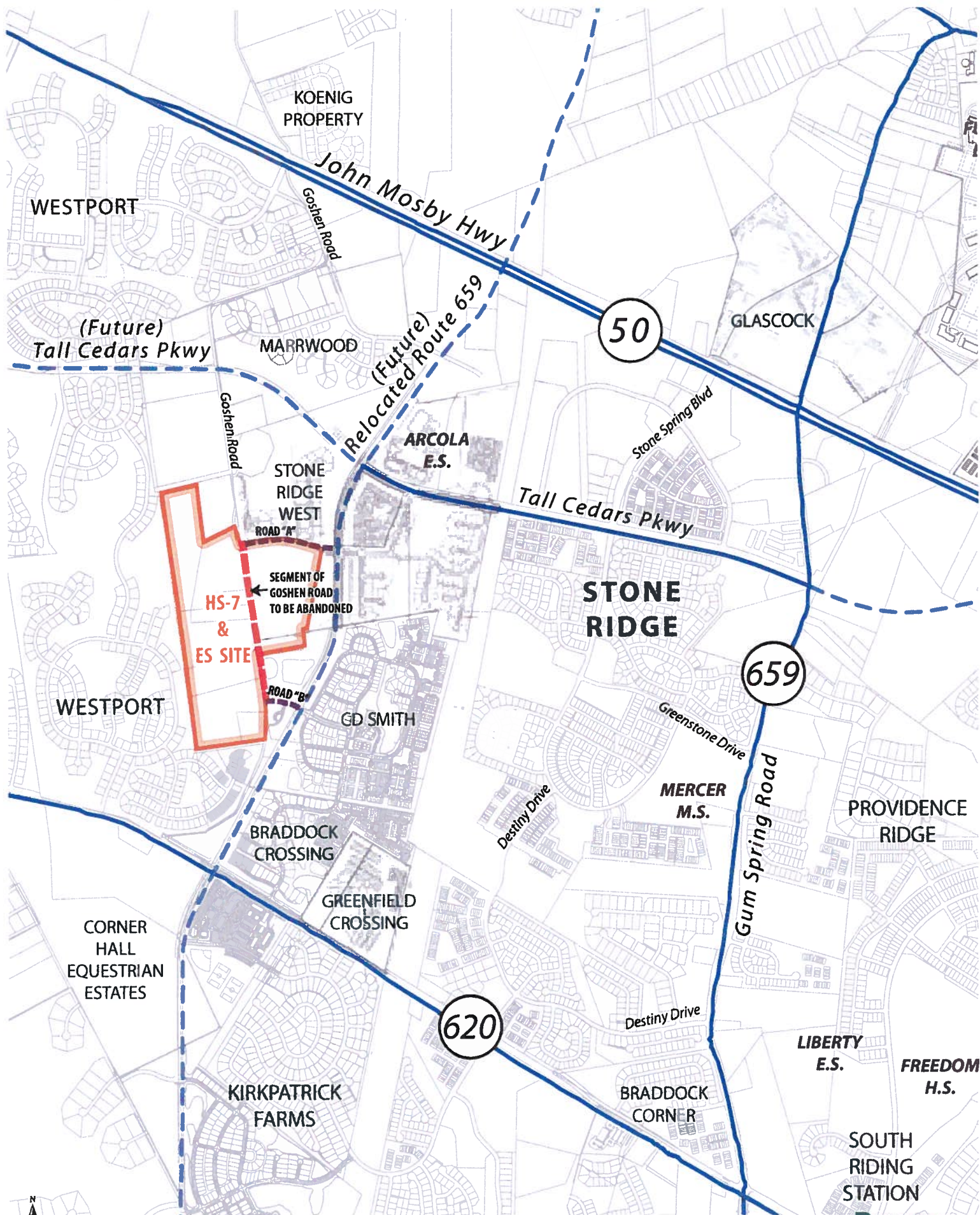
I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify
that _____ as _____
of the BOARD OF SUPERVISORS OF LOUDOUN COUNTY, VIRGINIA, whose name is
signed to the foregoing Deed, appeared before me and personally acknowledged the same in my
jurisdiction aforesaid.

GIVEN under my hand and seal this _____ day of _____, 2010.

My commission expires:

Notary Public

Registration number: _____



Petition for Abandonment of Road Pursuant to Section 33.1-151 of the Code of Virginia

The Petitioner, the Loudoun County School Board, in support of the Petition for Abandonment, asserts to the Loudoun County Board of Supervisors the following facts:

1. The portion of Goshen Road to be abandoned is shown on the attached plat entitled "Plat Showing Temporary Turnaround Easement and Road Abandonment Goshen Road". The plat number is 5185-C-MP-001 dated March 3, 2010, revised through August 17, 2010, and was prepared by Bowman Consulting Group, Ltd.
2. The property on the west side of the portion of Goshen Road to be abandoned is owned by the Loudoun County School Board with access available on Goshen Road to the north and planned access to proposed Road A and ultimately (via Road A) to proposed Relocated Route 659.
3. The property on the east side of the portion of Goshen Road to be abandoned is owned by Loudoun County School Board or under contract by the Loudoun County School Board with closing scheduled for the Fall of 2010. Access to these properties is on Goshen Road to the north with planned access to proposed Road A and ultimately (via Road B) to proposed Relocated Route 659. Additional property on the east side is owned by Two Greens/Kirkvest LLC with Zoning approval for a community park (ZMAP 2002-0003), access to Goshen Road to the south, and planned access to proposed Road B and ultimately (via Road B) to proposed Relocated Route 659.
4. The portion of Goshen Road to be abandoned is currently owned by Loudoun County School Board, Stone Ridge Community Development IV, LLC (under contract), and Two Greens/Kirkvest LLC.
5. The safety and welfare of the traveling public would be best served by abandoning this section of Goshen Road, the 1,795 linear feet between Road A and Road B, and using alternate routes comprised of paved roadway featuring lane widths that satisfy current safety standards. This portion of Goshen Road is a narrow, substandard gravel road. As a local road, Goshen Road is not a part of the Countywide Transportation Plan network. There are significantly improved roads available and soon to be available in the vicinity. Existing Route 659, the planned connection of Destiny Drive in Stone Ridge (scheduled to open in the Spring of 2011), and planned Road A, Road B, and Relocated Route 659 (planned to open in the Fall of 2012) will each provide safe, paved and convenient access alternatives.
6. There is no direct access to residential or other uses for this section of Goshen Road.
7. As a part of the development of the school site, the Loudoun County School Board will maintain emergency fire and rescue access across the abandoned portion of Goshen Road. The County Fire, Rescue and Emergency Management staff has reviewed the proposed abandonment and has voiced no objection provided emergency access remains available across the site. The proposed school site is designed such that the travelway of Goshen Road will remain in place during construction. It is proposed to be barricaded to the public with a

barricade that will provide ready access to emergency fire and rescue vehicles and will be acceptable to the County's Office of Fire, Rescue and Emergency Management.

8. The existing travel volumes on this section of Goshen Road are minimal with approximately 300 trips per day.
9. There are no known archaeological resources or historic value associated with this section of Goshen Road. Archaeological studies were conducted by Thunderbird Archeology as a part of the school site SPEX and ZMAP applications. (Reference Phase I Archeological Investigations of the 97.16 Acre High School #7 and Future Elementary School Property, Loudoun County Virginia, December 2009 on file in the County Planning Office.)

Based on these facts, the Petitioner requests that the Board of Supervisors of Loudoun County, Virginia abandon this portion of Goshen Road (Route 616), pursuant to Section 33.1-151 of the Code of Virginia.

Petitioner: Loudoun County School Board

schneider, marchant

From: Salous, Imad A., P.E. [Imad.Salous@VDOT.Virginia.gov]
Sent: Monday, August 16, 2010 10:23 AM
To: Sara Howard-O'Brien; cmohn@bowmanconsulting.com; chris.tacinelli@goroveslade.com; tawar@goroveslade.com; tushar.awar@goroveslade.com; Kenneth Theurich; Kevin Lewis; Sam Adamo; Yudd, Charles; phillips, george; Hobbie, Jason; Mosurak, Lou; schneider, marchant; Armstrong, Van; Chris Myers
Subject: RE: Meeting Summary of Aug. 10 - Goshen Road Abandonment

Sara,

Just one more condition that I may have forgotten to mention for accepting the phased two lanes of relocated 659 under the transportation plan approach is that the projected traffic volume for the 10 years after acceptance should be less or equal to 8000 VPD.

Thanks,

Imad Salous, P.E
Loudoun Permits Manager
Va Department of Transportation
Office 703-737-2026
Cell 571-271-3059

From: Sara Howard-O'Brien [<mailto:Sara.HowardOBrien@lcps.org>]
Sent: Friday, August 13, 2010 12:07 PM
To: cmohn@bowmanconsulting.com; chris.tacinelli@goroveslade.com; tawar@goroveslade.com; tushar.awar@goroveslade.com; Kenneth Theurich; Kevin Lewis; Sam Adamo; charles.yudd@loudoun.gov; george.phillips@loudoun.gov; jason.hobbie@loudoun.gov; lou.mosurak@loudoun.gov; Marchant.Schneider@loudoun.gov; van.armstrong@loudoun.gov; Chris Myers; Salous, Imad A., P.E.
Cc: Sara Howard-O'Brien
Subject: Meeting Summary of Aug. 10 - Goshen Road Abandonment

All

The attached meeting summary is being sent to the participants at the August 10, 2010 meeting to discuss the proposed Goshen Road abandonment process and acceptance of two lanes of Relocated Route 659. Please review and let me know if there are any changes or corrections. Thanks to all for your time and guidance.

Sara

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Friday, August 13, 2010 12:07 PM
To: cmohn@bowmanconsulting.com; chris.tacinelli@goroveslade.com; tawar@goroveslade.com; tushar.awar@goroveslade.com; Kenneth Theurich; Kevin Lewis; Sam Adamo; Yudd, Charles; phillips, george; Hobbie, Jason; Mosurak, Lou; schneider, marchant; Armstrong, Van; Chris Myers; imad.salous@vdot.virginia.gov
Cc: Sara Howard-O'Brien
Subject: Meeting Summary of Aug. 10 - Goshen Road Abandonment
Attachments: MtgAug10Attendance.pdf; MTGSummaryaug102010abandonment.docx

All

The attached meeting summary is being sent to the participants at the August 10, 2010 meeting to discuss the proposed Goshen Road abandonment process and acceptance of two lanes of Relocated Route 659. Please review and let me know if there are any changes or corrections. Thanks to all for your time and guidance.

Sara

Memorandum

To: File

From: Sara Howard-O'Brien, LCPS

Date: August 12, 2010

Re: **HS-7 Meeting on August 10, 2010 re Proposed Abandonment of Goshen Road**

Attendance: reference attached list

The purpose of the meeting was to discuss the proposed abandonment of Goshen Road and determine the best approach for processing, utilizing either Section 33.1-151 or 33.1-155 of the State Code. In addition, the requirements for VDOT to accept two lanes of Relocated Route 659 (Northstar Boulevard) into the State System for maintenance were reviewed.

After much discussion, it was determined that the abandonment should be undertaken in segments with the portion of Goshen Road between future Road A through the school site to Road B as the first segment to be considered utilizing the Section 33.1-151 process. In order for this to occur, there are additional items that need to be confirmed and obtained:

- Review the proposal with Fire and Rescue and the Sherriff's Department to ensure that the abandonment of this portion of Goshen Road prior to the availability of Relocated Route 659 will not be an issue for public safety. (Charles Yudd to contact these agencies to review) In coordination with this question, determine the timing for the availability of the Destiny Drive connection in Stone Ridge that will provide an additional north/south connection in the vicinity. The proffers for Stone Ridge Commercial provide for this connection to be open to the public within nine months of the date of the zoning amendment approval. (Reference Proffer II. B. 10. of ZMAP 2006-0011 and ZCPA 2006-0003). The zoning amendment was approved on May 4, 2010. (Charles contacted Roy Barnett regarding this connection. Roy advised that Van Metre "hopes to resume work on the last phase of Destiny Drive in the Fall and complete within the proffered timeframe".)
- Consolidate the lots owned by LCPS into one parcel.
- Revise the abandonment application to reflect the segment to be vacated including the addition of Van Metre and Greenvest into the application. (Note: there is a 23 acre parcel [MCPI 247-28-4151] LCPS is acquiring from Van Metre. The closing for that parcel would be beyond the timeframe of the desired public hearing for abandonment. Therefore, it will be necessary to ask Van Metre to join in the application. Roy Barnett has advised that Van Metre will join, just send the paperwork. The C.D. Smith property frontage is on Goshen Road. Until such time as there is alternate access, a portion of Goshen Road would need to be maintained as a public road. If Greenvest is willing to join in the abandonment, the portion to be abandoned could extend from Road A to Road B, allowing the cul-de-sacs to be constructed in their ultimate locations. LCPS will contact Greenvest to review. If Greenvest does not participate in the partial abandonment,

the segment to be abandoned would be shortened to include only the LCPS owned property and the Van Metre property.)

- The revised abandonment application will be filed with OTS. OTS will distribute the revised request to key review agencies. VDOT indicated the request would be forwarded to the CTB office in Richmond for review/information. Assuming public safety agencies have no concerns, the abandonment request would be heard at the October 12, 2010 Board of Supervisors hearing in conjunction with the SPEX/ZMAP.
- County Attorney to review revised application format/abandonment plat.
- Upon abandonment temporary cul-de-sacs will need to be provided at Road A and Road B and posted with "end of state road" signs. The remaining sections of Goshen Road will be posted as non-through streets.
- The second segment (from Road B, or end of school site on east side of Goshen, to Braddock Road) of the abandonment would occur at a later date. It was noted that Westport contains individual lots that front on Goshen Road. In order to abandon the segment of Goshen Road to the south, it will be necessary to either consolidate those parcels into the larger parcel that possesses frontage on Braddock Road or a record plat for that portion of Westport would need to be recorded. The record plat would subdivide these lots to provide the planned internal access and eliminate their current access onto Goshen Road. The appropriate Section of State Code to be determined.

With regard to acceptance of the two lanes of Relocated Route 659, Imad Salous, VDOT, advised that provided the road is on the transportation plan and the ultimate section's right-of-way is dedicated, VDOT will accept the two lanes. The County does not need to guarantee construction of the other two lanes.

Other questions from meeting:

Can abandonments be conditioned on future roads being in place? No

Timing of Relocated Route 659 construction and school opening? HS-7 is to open in the Fall (September) of 2012. Two lanes of Relocated Route 659 from Tall Cedars Parkway to Braddock Road, plus Roads A and B will be constructed and open to the public prior to the opening of the high school.

Barricading of Goshen Road on-site allowed prior to abandonment? VDOT advised that it is possible to barricade sections of roads while construction is underway. While it is anticipated that the segment of Goshen Road through the school site will be abandoned early in the school/road construction process, LCPS may work with VDOT to barricade Goshen Road while Road A and Relocated Route 659 are under construction.

Discuss condition of remaining northern segment of Goshen Road/cul-de-sac? It was generally agreed that the traffic utilizing the northern section of Goshen Road for school purposes would be minimal. The only access planned from Road A is for the bus loop and teacher parking. LCPS will limit bus traffic on Goshen Road to the bus(es) that specifically are needed to pick up students along Goshen Road.

(Presently there is one student on Goshen Road). LCPS will also advise staff to use alternate routes to reach the school.

A copy of this summary will be distributed to all meeting attendees. It will be requested that if there has been any misunderstanding of the guidance provided, please correct. LCPS very much appreciates the assistance of all parties in our goal to deliver HS-7 and a future elementary school.

Goshen Road (Route 616) Road Abandonment Meeting

August 10, 2010 10 AM Office of Transportation Services

<u>Name</u>	<u>Organization</u>	<u>Phone #</u>	<u>E mail Address</u>
MARCHANT SCHNEIDER	DEPT. OF PLANNING	703.771.5669	MARCHANT.SCHNEIDER@LOUDDOWN.GOV
IMAD SALOUS	VDOT	703-737-2026	imad.salous@valet-ctria.gov
KEVIN THURMON	LCPS	571-252-1161	Kevin.Thurmon@lcps.org
LOU MOSURAK	LOUDDOWN-OTS	703.771.5296	LOU.MOSURAK@LOUDDOWN.GOV
CHRIS BOWMAN	BOWMAN	703.443.2400	CBOWMAN@BOWMAN.CC.COM
VAN ARMSTRONG	LOUDDOWN PLANNING	703 777-0653	VAN.ARMSTRONG@LOUDDOWN.GOV
TUSHAR ANAND	GROVE/SLADE	703-787-9595	tanand@groveslade.us
KEVIN LEWIS	LCPS	571-252-1161	KEVIN.LEWIS@LCPS.ORG
Sara Howard-O'Brien	LCPS	571-252-1156	sara.howardobrien@LCPS.org
Charles Yudd	Loudoun Co Admin	703-777-0248	charles.yudd@loudoun.gov
JASON HOBBS	CAD	703-777-0167	jason.hobbie@loudoun.gov
SAM ADAMS	LCPS	571-252-1151	sam.adams@lcps.org
CHRIS MYERS	URBAN, LTD	703 642 8080	cmyers@urban-ltd.com
George Phillips	OTS	703-777-0122	george.phillips@loudoun.gov
CHRIS TACINELLI	GROVE/SLADE	703-787-9595	CHRIS.TACINELLI@GROVESLADE.US

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Thursday, August 12, 2010 2:40 PM
To: schneider, marchant
Cc: Kenneth Theurich; Kevin Lewis; Sam Adamo; Yudd, Charles; phillips, george; Mosurak, Lou; Taylor, Maria
Subject: Summary of Meeting to review Goshen Rd Abandonment with Fire and Rescue
Attachments: Sara Howard-O'Brien.vcf

This morning Maria Taylor, George Phillips, Lou Mosurak and I met to review the proposed abandonment of the segment of Goshen Road between Roads A and B (as depicted on the Special Exception/ZMAP Plat) to occur PRIOR to Road A, Road B and the 2 lanes of Relocated Route 659 being in place. The abandonment public hearing is targeted for the October 12, 2010, Board of supervisors public hearing and if the Board chooses to act that night the abandonment would be effective immediately.

Maria had forwarded the proposal to the Fire and Rescue Field staff for comment. she advised that while Fire and Rescue does not often use Goshen Road (because of it's current condition) fire and rescue would like to continue to have access on this road. LCPS is willing to maintain access for fire and rescue across the site. Based on this commitment Fire and Rescue would have no objection to the abandonment as proposed. Fire and Rescue would like to see the commitment to keep the road available for emergency purposes memorialized. I suggested this could be accomplished in the special exception conditions. The specifics of how the road would be available would be worked out to the satisfaction of fire and rescue. Maria specifically stated that the concrete barriers are not an acceptable measure but a chain or other approach that would not delay response times would work. LCPS will gladly work with Fire and Rescue to determine the best approach.

when the revised abandonment proposal is submitted it will be distributed to Fire and Rescue for review. This preliminary review will allow LCPS to address the recommendations of Fire and Rescue as a part of the submission package.

Let me know if you have any questions. I am copying Maria, George and Lou and ask that they add or correct, as appropriate.

Sara

Sara Howard-O'Brien
Land Management Supervisor
Loudoun County Public Schools
Planning and Legislative Services
21000 Education Court
Ashburn, Virginia 20148
Phone: 571-252-1156
Fax: 571-252-1101
E-mail: Sara.howardobrien@LOUDOUN.K12.VA.US

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Thursday, August 12, 2010 12:58 PM
To: schneider, marchant
Subject: Fwd: RE: Goshen Road abandonment
Attachments: Dulles South HS-7 Graphics.pdf

FYI, meeting summary to arrive later today. Went well. Sara

>>> "phillips, george" <George.Phillips@loudoun.gov> 8/11/2010 10:28 AM >>>
Hi Maria- 8/11/10

Just an FYI for you before Sara gets you the complete package. For your reference, see the attachments from the applicant's traffic study which show existing and planned conditions for Goshen Road (Route 616) as it relates to the proposed HS-7 High School and the eventual construction of a portion of Northstar Boulevard (Route 659 Relocated).

The idea we have is to move forward and obtain Board approval to abandon the section of Goshen Road (Route 616) on the proposed HS-7 site in October of this year. It would be cul-de saced at the northern and southern boundaries of the school site and have barricades so that the contractors hired by the School Board can proceed with on-site construction. Access will be provided between Goshen Road and the future Northstar Boulevard via Site Road A represented as intersection # 7 on the graphic. Meanwhile, the construction of a two-lane North Star Boulevard between Site Road A (intersection 7 on the graphic) and Braddock Road will occur prior to the opening of the HS-7 school (Fall, 2012). The School Board staff and engineering consultants indicated at our meeting yesterday that emergency access can be maintained north/south on Goshen Road including the abandoned portion on the school site.

The question for Fire & Rescue to consider is, would this temporary situation be acceptable? If so, what kind of on-site road should be provided to support fire & rescue/emergency vehicles? Think about it and we will meet at a time that works for you. Thanks for your time and consideration of this important matter.

George

From: Yudd, Charles
Sent: Wednesday, August 11, 2010 9:49 AM
To: Taylor, Maria; phillips, george
Subject: Goshen Road abandonment

Hi Maria: hope all is well with you. I spoke by phone to Sarah Howard OBrien today and she will be contacting you directly to explain the situation with Goshen Road. She knows that you go on vacation starting on the 23rd and that you won't be back until after Labor Day.

I agreed with her that instead of waiting until she revises all abandonment petition documents and then ship those to you via George, and then scheduling a meeting.....that it would be more helpful and timely to summarize where things stand now and bring that to you for your review and input before you go on vacation.

Just so you know the BOS has expedited all applications dealing with HS-7.

If you need me just email, I have my blackberry with me all the time (as you know).

Thank you for your help on this.

CY



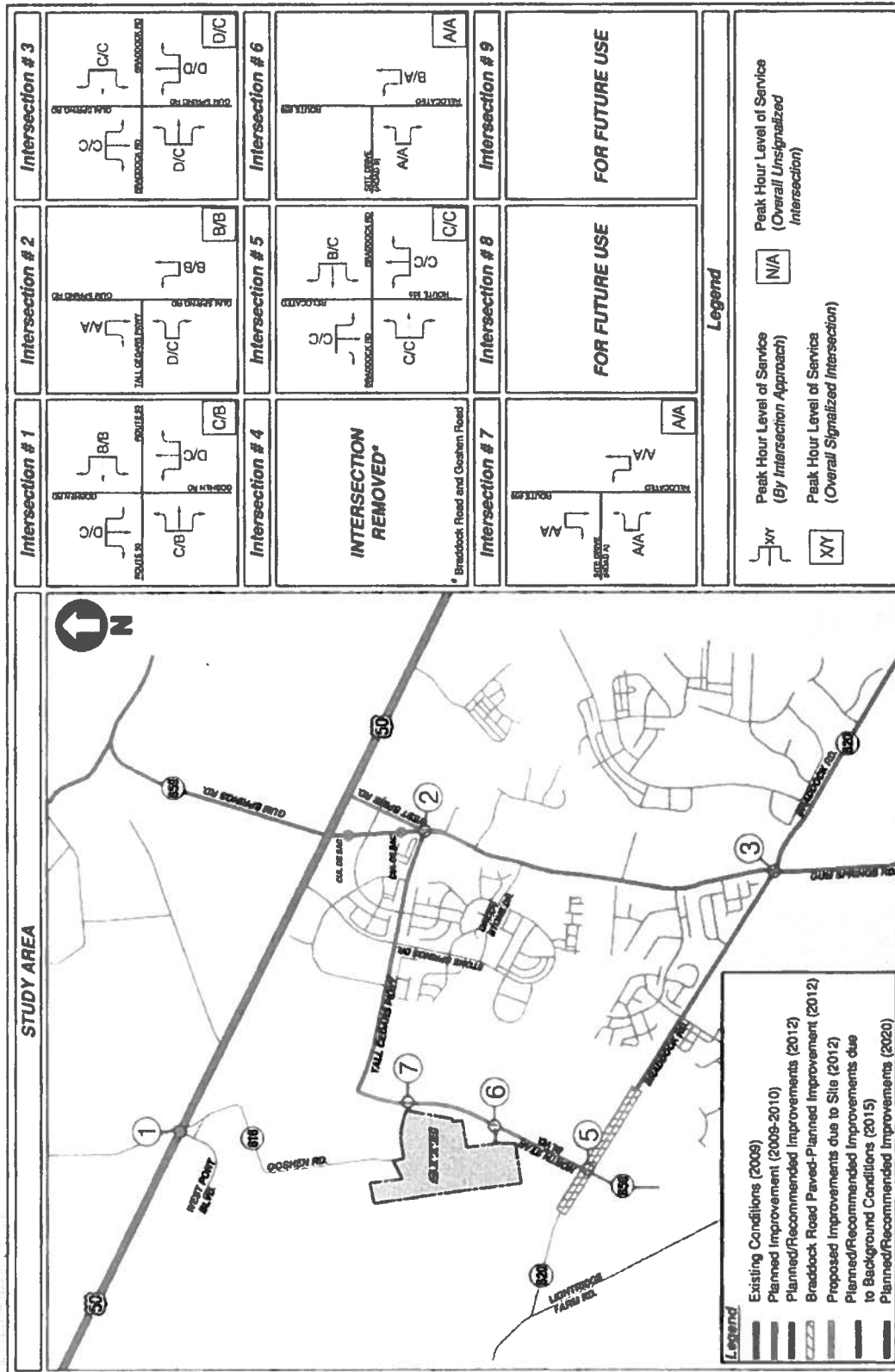


Figure 43
Future with Development Levels of Service (2020)
Elementary School Peak Hour (7:00 AM to 8:00 AM and 2:15 PM to 3:15 PM)
Alternative 1 : Mixed Feed

schneider, marchant

From: Sara Howard-O'Brien [Sara.HowardOBrien@lcps.org]
Sent: Wednesday, August 11, 2010 2:50 PM
To: phillips, george
Cc: schneider, marchant; Taylor, Maria
Subject: Meeting to review proposed Goshen Road Abandonment -- HS-7
Attachments: Sara Howard-O'Brien.vcf

Importance: High

I just spoke with Maria and she has graciously offered to meet tomorrow to review the proposed abandonment with us. We have tentatively targeted 10 a.m. but she is open all day and will meet when we can. I have a meeting at 1 here at LCPS but other than a time block of say 12:30-3, I am available anytime as well. Would you be available tomorrow and if so when? (Marchant has given me permission to meet with Maria and brief him. If you would like to do likewise, I'm happy to brief the both of you if your schedule is tight tomorrow) I have suggested that we come to Maria's office.

Maria has already distributed the information you sent to the field staff for input. She expects to have a reply in a pretty quick turn around. I just want to make sure she has all the information/documents she may need to consider. Please let me know. Many thanks. Sara

Sara Howard-O'Brien
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Ashburn, Virginia 20148
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Fax: 571-252-1101
E-mail: Sara.howardobrien@LOUDOUN.K12.VA.US

schneider, marchant

From: phillips, george
Sent: Monday, August 09, 2010 11:58 AM
To: schneider, marchant; Yudd, Charles; Sara Howard-O'Brien; Mosurak, Lou; Salous, Imad A., P.E.; Hobbie, Jason
Cc: Beacher, Andrew
Subject: Meeting Agenda for tomorrow's meeting regarding the proposed Goshen Road abandonment/HS-7
Attachments: Dulles South H& 7 Meeting Agenda for August 10, 2010.docx

All- 8/9/10

Here is an agenda for tomorrow's meeting to discuss the proposed Goshen Road abandonment as related to the HS-7 School. We will be meeting at 10 AM at the Office of Transportation Services Large Conference Room. FYI for those coming from the outside, our office is located on the 4th floor of the County Government Center, 1 Harrison Street in downtown Leesburg. Let me know if you have any questions.

See you all there.

Thanks, George Phillips
Senior Transportation Planner
OTS

Meeting Agenda

Proposed Abandonment of Goshen Road for the HS-7 School

Date: August 10, 2010 10 AM

Location: Loudoun County OTS

I. Introductions

II. Meeting Purpose/Goals

III. Discussion points:

- Appropriate/preferred Code Section (33.151 / 33.155) to apply?
- Can abandonments be conditioned on future roads being in place?
- Timing of Relocated Route 659 construction and school opening.
- Possibility of abandonment prior to the acceptance of Rte. 659 Relocated?
- Barricading of Goshen Road on-site allowed prior to abandonment?
- VDOT acceptance of a two-lane half section of Route 659 Relocated?
- Would County Board need to guarantee construction of other two lanes?
- What alternative route(s) would VDOT accept to replace Goshen Road?
- Discuss condition of remaining northern segment of Goshen Road/cul-de-sac?

IV. Conclusion/Next Steps

schneider, marchant

From: phillips, george
Sent: Tuesday, July 27, 2010 10:16 AM
To: Sara Howard-O'Brien; schneider, marchant
Cc: Cody Francis; Sam Adamo
Subject: RE: VDOT/CO meeting for HS-7

Sara and Marchant- 7/27/10

I like the questions.

I would add a couple other questions for discussion at the meeting. What alternate Route would VDOT accept in lieu of the abandoned portion of Goshen Road? In other words, would a connection to Tall Cedars Parkway and then out to Route 50 suffice? Or would VDOT require North Star Blvd. (Route 659 Relocated) to be open between Route 50 and Braddock Road? Also, given the narrow, unpaved condition of Goshen Road north of the school site, is VDOT amenable to having the remaining northern segment converted into a cul-de sac? You can add these to your list and send it back to me and I'll get them out to the meeting attendees.

Also, just a heads up that we are planning to meet on Tuesday, August 10 at 10 AM here in OTS. I will send out a follow up E mail shortly. We have Jason Hobbie from the CA's office and Imad Salous from VDOT. Jim Zeller indicated that he doesn't need to be at the meeting given that Imad Salous is able to come. Lou and I will also be there.

Let me know if you have any questions

Thanks, George

From: Sara Howard-O'Brien [<mailto:Sara.HowardOBrien@loudoun.k12.va.us>]
Sent: Thursday, July 22, 2010 7:08 PM
To: schneider, marchant
Cc: Cody Francis; Chris Mohn; Tushar Awar; phillips, george; Kenneth Theurich; Kevin Lewis; Sam Adamo; Chris Myers; Dave McElhaney
Subject: VDOT/CO meeting for HS-7

Marchant, as you know, George is scheduling a meeting for the week of August 9th to review the abandonment process for an identified section of Goshen Road and to discuss how the two lane section of Relocated Route 659 may be taken into the VDOT state maintained road system. I have jotted down my list of questions and am forwarding to you and copying George.

By copy of this email I am also asking our team if there are additional questions that should be asked and if so to forward to you (Marchant) in advance of the meeting (asap). Unfortunately, I ran out of time today to circle back with

everyone but I think I have captured the key areas where we need County/VDOT guidance. **We very much appreciate everyone helping us and we look forward to the upcoming meeting.**

I will be out of the office until August 9th. Sara

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E-mail: Sara.howardobrien@LOUDOUN.K12.VA.US

schneider, marchant

From: phillips, george
Sent: Thursday, July 22, 2010 10:51 AM
To: James C. P.E. Zeller; Salous, Imad A., P.E.; Sara Howard-O'Brien; Hobbie, Jason
Cc: schneider, marchant; Mosurak, Lou; Brown, Ron; Beacher, Andrew
Subject: FW: Abandonment Comments from VDOT regarding Route 616 (Goshen Road) from Braddock Road to .85 mile north.
Attachments: Sara Howard-O'Brien.vcf

Sara, Jim, Imad and Jason- 7/22/10

In order to discuss the timing and other issues (barricading) relating to the Loudoun School Board's request to abandon a portion of Goshen Road in time for the opening of the proposed HS-7 school,, I wanted to see if you all were available to meet during the week of August 9-13. My available times are Monday August 9 from 1:30-4 p.m., Tuesday , August 10 from 10-12 in the morning and 1-4 in the afternoon and Thursday August 12 in the afternoon. Let me know what time (s) you are available and I'll get back with you. I would expect the meeting to take approximately 1 hour.

Let me know. Thanks, George

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@loudoun.k12.va.us]
Sent: Wednesday, July 21, 2010 12:56 PM
To: phillips, george
Cc: Mosurak, Lou; schneider, marchant
Subject: RE: Abandonment Comments from VDOT

George, we met and Lou indicated that OTS would help us get all the right people in a room so we could decide how best to proceed. We are putting together a list of questions for direction. I'm out of the office from this Friday afternoon (7/23) to 8/9 (two weeks). If we could get a meeting lined up for the week of 8/9 that would be really terrific. We will be resubmitting the responses tomorrow afternoon.

As always, we appreciate your help. Sara

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>>> "phillips, george" <George.Phillips@loudoun.gov> 7/21/2010 9:19 AM >>>

Thanks Sara- 7/21/10

I'll be at VDOT but Lou will be there at the meeting. We can run the barricade idea by Jim Zeller. It all depends on what VDOT would allow. If there were no users who had to access the road segment and the alternate road is in place, it may be fine. We just need VDOT to verify.

We'll talk more about this soon.

Thanks, George

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@loudoun.k12.va.us]
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George, let's talk about this morning. We had a similar situation on Creighton Road and it was barricaded before abandonment so I do not understand why Goshen could not be handled in a similar manner. We need the help of OTS/VDOT to better understand the best way to go about the abandonment. If it makes more sense to abandon under the alternate section (road section just no longer needed) we can go that route too. See you soon. Thanks. Sara

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>>> "phillips, george" <George.Phillips@loudoun.gov> 7/20/2010 3:53 PM >>>

Sara- 7/20/10

I wanted to follow up with you regarding Jim Zeller's comment (that the Goshen Road right-of-way through the site cannot be abandoned until Relocated Route 659, a.k.a. North Star Boulevard, is constructed and accepted into the Virginia state secondary road system for maintenance. Goshen Road can't be barricaded to prevent traffic from using it until Relocated Route 659 is open and accepted by VDOT. The abandonment will be critical to allow for the development of the school site. As I recall your schedule to open (Fall of 2012), the completion and acceptance of Route 659 Relocated will need to occur before construction begins.

Do you have a sense of when Route 659 Relocated will be completed between Braddock Road and Road A? If so, is the timeline in keeping with the school construction time line? The abandonment can go to the Board when the new road is ready and accepted.

Let me know your thoughts.

Thanks, George

From: Sara Howard-O'Brien [mailto:Sara.HowardOBrien@loudoun.k12.va.us]
Sent: Monday, July 19, 2010 4:05 PM
To: schneider, marchant
Cc: phillips, george; Mosurak, Lou; Kenneth Theurich; Kevin Lewis
Subject: HS-7 Meeting/OTS Referral

Marchant: In preparing for Wednesday's meetings there are a couple of other items I wanted to highlight for discussion:

Comment 1: For LCPS access, we believe it would only be necessary to extend Braddock Road from its current terminus (Great Berkhamstead Drive) to Northstar Blvd., not out to Goshen Road. We would like to know if this is acceptable to OTS.

Comment 3: It looks like there is a typo in the comment. The comment states that the applicant should construct the eastbound right turn lane and the southbound left turn lane at Northstar/Braddock. We believe this should be the westbound right turn lane and the southbound right turn lane.

Comment 7: Abandonment process for Goshen Rd and acceptance for Northstar, need help understanding the comment: "These matters have the potential to delay the development of the proposed schools". Also discuss the two options for abandonment.

Comment 8: Goshen Road access, staff recommended further discussion.

Comment 9: pedestrian access onto off-site properties?

Thanks for meeting with us to review the comments. We want to resubmit on Thursday. Sara

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Attachments: Questions for Dulles South High School and Elementary School County.docx; Sara Howard-O'Brien.vcf

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By copy of this email I am also asking our team if there are additional questions that should be asked and if so to forward to you (Marchant) in advance of the meeting (asap). Unfortunately, I ran out of time today to circle back with everyone but I think I have captured the key areas where we need County/VDOT guidance. **We very much appreciate everyone helping us and we look forward to the upcoming meeting.**

I will be out of the office until August 9th. Sara

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George, you let us know when and where and we will be there! Many thanks. Sara

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LOUDOUN COUNTY PUBLIC SCHOOLS
DEPARTMENT OF PLANNING AND LEGISLATIVE SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

June 8, 2010

Hand Delivered

Mr. George Phillips
Dept. of Transportation Services
County of Loudoun
1 Harrison Street, 4th Floor
P.O. Box 7000
Leesburg, VA 20177

Re: Proposed Abandonment of a Portion of Route 616 (Goshen Road)
Response to Referral Comments

Dear George:

We have reviewed the referral comments concerning the proposed abandonment of a portion of Route 616 (Goshen Road) and offer the attached responses for your review and consideration.

Please let me know if you have any questions or require additional information.

Sincerely,

Sara Howard-O'Brien, AICP
Land Management Supervisor

Enclosures

cc: Sam Adamo, Director, Planning and Legislative Services

**Loudoun County Public Schools
Proposed Abandonment of
A Portion of Route 616 (Goshen Road)
Response to Referral Comments
June 8, 2010**

Parks and Recreation
Comments dated April 6, 2010

Comment 1: Provide more clarification on whether the proposed abandonment is scheduled to be completed prior to the park conveyance to the County

Response: The proposed abandonment of Goshen Road requires that Relocated Route 659 be constructed and accepted into the state system for maintenance. The timeline for the completion of the abandonment process is not known at this time. Likewise, the C.D. Smith Park is proffered to be dedicated prior to the issuance of the 300th residential zoning permit. Development of the C.D. Smith project has not been initiated.

Comment 2: Provide clarification on whether the current prescriptive right-of-way area will be included in the future conveyance from Two Greens/Kirkvest LLC to the County as part of the park site.

Response: The abandonment of Goshen Road would result in .19853 acres reverting to the C.D. Smith parcel located on the west side of Relocated Route 659, the proffered park site. It would be logical for that land area to convey with the park.

Comment 3: Provide further information on the impacts on the park site of proposed "Road B" on Sheet 4.

Response: The proposed Road B realigns the previously planned road to cross the park and results in a more usable area to the south of Road B. Utilizing the direction of Parks and Recreation, alternative layouts were examined. Parks and Recreation staff indicated a preference for Alternative 2 which moves the play meadow to the south side of the road and incorporates additional parking that will serve users of the play meadow. Alternative 2 also incorporated a micro play field on the north side of Road B. Parking is maintained on the north side of the road and will include gates to allow the park to be closed. In addition, with the construction of Road B public water will be brought to the site and with the construction of Relocated Route 659 a sleeve is being placed under the roadway to accommodate the future extension of public sewer at such time as public sewer is available to the east at the C.D. Smith property. Overall the alternative design of the park better utilizes the land area available. The proximity of the park and schools will be mutually beneficial.

Office of Transportation Services

Comments dated March 23, 2010

Comment 1: Keep the northern section of Goshen Road in place as an emergency access road with either minimal type paving (rural rustic type) or hardened grass access from the end of paved right-of-way.

Response: LCPS is willing to maintain the northern section of Goshen Road as an emergency access road, as recommended.

Comment 2: LCPS should proffer contributions to the County to perform warrant studies at both entrances on Relocated Route 659 and to fund the complete design and installation of signals when warranted. Both proffers should remain valid for at least 10 years after the last of the two schools is opened.

Response: LCPS is willing to provide for future signal warrant analysis and fund future signals if warranted. This should be addressed as a part of the Special Exception.

Comment 3: LCPS to work with the developers of Stone Ridge West and CD Smith to design into their construction plans physical traffic calming measures for each of the developments. The additional cost of these measures above the normal developer infrastructure cost should be funded by LCPS.

Response: The design of the road network for Stone Ridge West and CD Smith will appropriately be the responsible of the respective developers of those communities. LCPS has worked with representatives of Stone Ridge and C.D. Smith as well as Braddock Crossing (aka Stratshire Crossing) and Westport. The proposed schools will be an asset to the surrounding communities.

VDOT

Comments dated March 29, 2010

Comment 1: The abandonment relies on the construction of a portion of Relocated Route 659. Please note that before the Goshen Road right-of-way can be abandoned, the necessary portion of Relocated Route 659 must be accepted into the state system for maintenance.

Response: Acknowledged

Comment 2: The portion of Relocated Route 659 affected by this request is part of the adopted location of the Tri-County Parkway (VDOT Project R000-96A-101, UPC 52405). Design and construction by third parties of Relocated Route 659 will need to be coordinated with the major design elements of the Tri-County Parkway Location Study.

Loudoun County Public Schools
Proposed Abandonment of a Portion of Route 616 (Goshen Road)
Response to Referral Comments
June 8, 2010

The parties responsible for Relocated Route 659 should contact the Tri-County Parkway project manager to exchange design parameters.

Response: Urban Engineering, consultant for LCPS to prepare the design plans for Relocated Route 659, has contacted Mr. Nick Nies at VDOT and provided a layout of the plan depicting the alignment. We anticipate a response in the near future. The applicant will continue to coordinate with VDOT.

Planning Department
Comments dated March 24, 2010

No Comments

S:\Planning\Goshen Road Assemblage\ReferralRespAbandon616.doc

schneider, marchant

From: phillips, george
Sent: Monday, April 12, 2010 11:36 AM
To: schneider, marchant
Cc: Laycock, Terrie; Sara Howard-O'Brien; Beacher, Andrew; Mosurak, Lou
Subject: Goshen Road Route 616 Abandonment Comments
Attachments: Goshen Road Route 616 Abandonment Comments.PDF

Marchant- 4/12/10

See attached comments from the various review agencies regarding the proposed abandonment. Since this proposed abandonment is directly related to the HS-7 Dulles South/Elementary School application (ZMAP 2010-0001 & SPEX 2010-0003) site I wanted to make sure you are aware of the outstanding issues which affect the proposed abandonment and your application as well. VDOT notes that Relocated Route 659 must be accepted into the state system for maintenance prior to the abandonment occurring. In addition, please see the comments from Parks, Rec & Community Services and OTS.

I have already sent these comments over to Sara Howard O'Brien as well and she is reviewing them and will respond.

phillips, george

From: Zeller, James C., P.E. [James.Zeller@VDOT.Virginia.gov]
Sent: Monday, March 29, 2010 10:28 AM
To: phillips, george
Cc: Hakim, Gaby Y.; Salous, Imad A., P.E.; Bigdeli, Farid, P.E.; Nies, Nick M.
Subject: Proposed Abandonment of a Portion of Route 616 Goshen Road

George,

Loudoun County Public Schools has requested the abandonment of a portion of Route 616 Goshen Road beginning at its intersection with Route 620 Braddock Road and extending north approximately 0.85 mi. The purpose of the abandonment is to facilitate the construction of an elementary school and a high school. VDOT staff at the Leesburg Residency has reviewed the request and offers the following comments:

1. The abandonment relies on the construction of a portion of Relocated Route 659. Please note that before the Goshen Road right of way can be abandoned, the necessary portion of Relocated Route 659 must be accepted into the state system for maintenance.
2. The portion of Relocated Route 659 affected by this request is part of the adopted Location of the Tri-County Parkway (VDOT Project R000-96A-102 P101, UPC 52405). Design and construction by third parties of Relocated Route 659 will need to be coordinated with the major design elements of the Tri-County Parkway Location Study. The parties responsible for Relocated Route 659 should contact the Tri-County Parkway project manager to exchange design parameters. Here is the contact information of VDOT's project manager:

Mr. Nick M. Nies, Environmental Specialist II

Virginia Department of Transportation

1201 East Broad Street

Richmond, Virginia 23219

804-786-1092

nicholas.nies@vdot.virginia.gov

Please do not hesitate to call or email me if you have any questions.

James C. Zeller PE

Virginia Department of Transportation

41 Lawson Road, SE

Leesburg, Virginia 20175-4460

703-737-2014 o

703-771-2528 f

571-722-6381 c

phillips, george

From: Armstrong, Van
Sent: Wednesday, March 24, 2010 11:12 AM
To: phillips, george
Subject: Road abandonments

George – I have reviewed the three road abandonment referrals all dated March 16, 2010 regarding Ryan Road (Route 772) and Goshen Road (Route 616). I see know immediate comments necessary from the Planning Department and acknowledge the status of each of these roads with respect to their planned improvements and/or replacement.
Thanks, Van

Van Armstrong, Program Manager
Land Use Review
Loudoun County Planning Department
703-777-0653



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

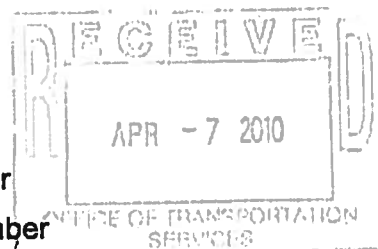
To: George Philips, Senior Transportation Planner,
Office of Transportation Services (OTS) (MSC #69)

From: *BGS* Brian G. Fuller, Park Planner, Facilities Planning and Development
(MSC #78)

Through: *AN* Mark A. Novak, Chief Park Planner, Facilities Planning and Development

CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, PROS Board, Chairman, Catocin District
Jean Ault, PROS Board, Dulles District
Robert C. Wright, PROS Board, Open Space Member
James E. O'Connor, PROS Board, Open Space Member

Date: April 6, 2010



Subject: Proposed Abandonment of a Portion of Route 616 (Goshen Road)

Election District: Dulles **Sub Planning Area:** Dulles

MCPI #: Multiple

The Applicant, Loudoun County Public Schools (LCPS), has petitioned the Board of Supervisors to abandon a 4,505 foot long portion of Goshen Road, from Braddock Road northward. LCPS is proposing to construct a high school and an elementary school on a 97+ acre assemblage of property straddling Goshen Road, to the south of future Tall Cedars Parkway and to the west of future Relocated Route 659. LCPS is proposing to construct a portion of Relocated Route 659 and a connector road (Road A) back to the northern portion of Goshen Road to serve the high school. The high school is anticipated to be opened in the Fall of 2012.

It appears that the proposed abandonment will impact two proffered PRCS park sites. On Sheet 2 of the Abandonment Exhibit Plat, MCPI # 248-17-6333 (Parcel C, Stratshire Crossing, Phase 1) is to be dedicated to Loudoun County per amended Proffer IV.B.3 of ZMAP 2003-0012. The active recreation construction and parcel conveyance shall be completed prior to the issuance of the 100th residential zoning permit for the Property. Winchester Homes is currently coordinating with PRCS Staff to commence site construction and parcel conveyance this summer (2010). PRCS requests more clarification on whether the proposed abandonment is scheduled to be completed prior to the park conveyance to the County, and whether the current street dedication and prescriptive right-of-way area will be conveyed to the County to be included within the park site as well.

Furthermore, on Sheets 3, 4 and 5 of the Abandonment Exhibit Plat, MCPI # 248-29-4046, 248-30-5519, 248-39-4888 (Two Greens/Kirkvest LLC, C.D. Smith Property) is to be dedicated to Loudoun County per Proffer V.B.3 of ZMAP 2002-0003. The active and passive recreation uses identified as Community Park shall be completed and conveyed no later than the issuance of the 300th residential zoning permit for the Property. PRCS reviewed the first submission of the Site Plan (STPL 2008-0047), but that application has since gone inactive. PRCS requests more clarification on whether the current prescriptive right-of-way area will be included in the future conveyance from Two Greens/Kirkvest LLC to the County as part of the park site. PRCS also requests further information on the impacts on the park site of proposed "Road B" on Sheet 4.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

LOUDOUN COUNTY
OFFICE OF TRANSPORTATION SERVICES
MEMORANDUM

DATE: March 23, 2010

TO: George Phillips, Senior Transportation Planner

FROM: Charles D. Acker, Transportation Operations Engineering *cd*

SUBJECT: Abandonment of a portion of Route 616 (Goshen Road)

The two entrances proposed for HS-7 and ES site both depend on the same section of a major roadway (Relocated Route 659) for access at intersections with residential subdivisions. How will the schools be accessed if the major roadway is blocked by an emergency incident? There is no emergency access shown. The ultimate condition of the major roadway may necessitate installation of traffic control (traffic signal) at one or both entrances in the future. In addition it's very possible that the residential areas could experience cut thru and parking issues associated with the high school, especially if the parking fee charged continues to rise. Parking issues can occur both during the school hours and at night for athletic events and PTA/Open House meeting.

Recommendations: Keep the northern section of Goshen Road in place as an Emergency access road with either minimal type paving (rural rustic type) or hardened grass access from the end of paved ROW. This should not be too difficult because the two water towers nearby will need access to a public road.

LCPS should proffer contributions to the County to perform warrant studies at both entrances on Relocated Route 659 and to fund the complete design and installation of signals when warranted. Both proffers should remain valid for at least 10 years after the last of the two schools is opened.

LCPS to work with the developers of Stone Ridge West and CD Smith to design into their construction plans physical traffic calming measures for each of the developments. The additional cost of these measures above the normal developer infrastructure cost should be funded by LCPS.

I realize that the two proffer commitments should be in the SPEX/ZMAP but they relate to traffic issues and should be noted as early as possible.

Dominion Virginia Power
171 Elden Street, Herndon, VA 20170
Web Address: www.dom.com



March 22, 2010

George Phillips, Transportation Planner
Loudoun County Office of Transportation Services
1 Harrison Street SE, 4th Floor
PO Box 7000
Leesburg, VA 20177-7000

**Re: Abandonment of a portion of
Goshen Road, Route 616**

Dear Mr. Phillips:

I have reviewed the proposed abandonment of a portion of Goshen Road, Route 616. Dominion has no facilities in conflict with the proposed vacation.

Please note that the area being vacated falls wholly within the Northern Virginia Electric Cooperative (NOVEC) service territory. I believe NOVEC's facilities will be impacted by the proposed abandonment. Their right of way agent is Kevin Harney. His contact information is as follows:

Please note that the area being vacated falls within the Northern Virginia Electric Cooperative (NOVEC) service territory. I believe the Coop has facilities that will be impacted by the proposed abandonment. The contact information for NOVEC is as follows:

Mr. Kevin Harney, Right of Way Agent
Northern Virginia Electric Cooperative
5399 Welington Branch Drive
Gainesville, VA 20155

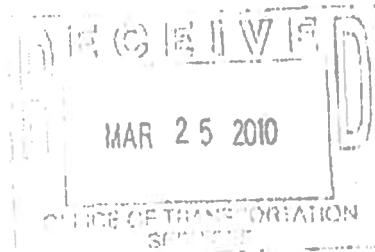
Tel: (703) 754-6763

Should you have any questions or need further information, please feel free to give me a call. I can be reached at (703) 375-5939 or contacted via email at james.w.west@dom.com.

Sincerely,

James W. West
Right of Way Agent

Enclosures




County of Loudoun
Office of Transportation Services

MEMORANDUM

DATE: March 16, 2009

TO: Chuck Acker, Office of Transportation Services
Van Armstrong, Department of Planning
Ron Brown, County Attorney's Office
Tony Dawood, Loudoun Water
Maria Taylor, Fire and Rescue
Dave Gourley, Building and Development
Mark Novak, Parks and Recreation
John Sharer, Dominion Resources Services, Inc.
Tom Walker, Virginia Department of Transportation
James West, Virginia Dominion Power
Jim Zeller, Virginia Department of Transportation

FROM: George Phillips, Senior Transportation Planner 

SUBJECT: Comments regarding the proposed abandonment of a portion of Route 616 (Goshen Road)

ELECTION DISTRICT: Dulles District

COMMENT DUE DATE: April 9, 2009

Background

Sara Howard-O'Brien, Land Management Supervisor with the Loudoun County Public School Board, has petitioned the Loudoun County Board of Supervisors to abandon a portion (4,505 feet in length) of the Route 616 (Goshen Road) (see *Attachment*). The applicant indicates that the proposed abandonment will facilitate the development of the proposed high school and elementary school on this site and proposes new road construction (Route 659 Relocated and Road "A") to serve the same citizens as the segment of Route 616 (Goshen Road) to be abandoned.

We hope to bring this matter before the Board of Supervisors later this spring. If I don't hear from you by April 9, 2010, I will presume that you have no comments. Thanks for your input and contact me at 703-777-0122 if you have any questions. My email address is gphillip@loudoun.gov.

Comments Regarding the Proposed abandonment of a portion of Route 616 (Goshen Road)

ATTACHMENT:

1. Cover Letter//Plat/Area Map/Petition

cc: Supervisor Stevens Miller, Dulles District
Sara Howard-O'Brien, Land Management Supervisor
Charles Yudd, Assistant County Administrator
Terrie Laycock, Director of OTS
Andy Beacher, Assistant Director, OTS

Transmission Report

Date/Time
Local ID 1
Local ID 2

04-08-2010 04:34:39 p.m.
703+737+8513

Transmit Header Text
Local Name 1 Loudoun County Transportation
Local Name 2

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(reduced sample and details below)
Document size : 8.5"x11"



Loudoun County, Virginia

Office of Transportation Services (MSC #69)
1 Harrison Street, S.E., 4th Floor
P.O. Box 7000
Leesburg, VA 20177-7000

Fax

To: Sav. Howard - O'Brien From: George Phillips
Fax: 571-252-1101 Pages: 7 (with cover)
Phone: 571-252-1050 Date: 4/8/10
Re: Goshen Road Abandonment Comments

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments: 4/8/10

Saves - Please see attached comments, especially from
VDoT and OTS.

Also, could you send me over another ^(Abandonment/Rel. 5/6) packet?
_{Att: Jim, Phil}

I need to send one to Kevin Harvey at
NOVEC as noted in James Webb's letter from
B. Dominion.

Thanks, George Phillips

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Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report
G3: Group 3
EC: Error Correct